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**TRANSCRIPT OF PROCEEDINGS**

TRANSCRIPT IN CONFIDENCE

O/N H-785210

**LEGISLATIVE COUNCIL ELECTORAL BOUNDARIES  
REDISTRIBUTION TRIBUNAL**

**CHAIRPERSON M. BLAKE, Presiding**

**TRIBUNAL HEARING**

**TRAM ROOM 4, TRAMSHEDS FUNCTION CENTRE  
4 INVERMAY ROAD, LAUNCESTON, TASMANIA**

**9.20 AM, FRIDAY, 9 JUNE 2017**

MR BLAKE: Good morning and welcome.

MS RATTRAY: Good morning.

5 MR BLAKE: I'm going to make an opening statement, but there is some paper  
there that you – some extracts from the Act which you may want to have a look at  
while I'm going along. So please allow me to make an initial statement of welcome.  
Welcome to this hearing of the Redistribution Tribunal into transitional arrangements  
10 relating to implementation of the redistribution of the state's legislative council  
boundaries. My name is Mike Blake, and I chair the Redistribution Tribunal. I will  
not introduce you to my colleagues because their names and roles are clear from their  
name tags. The tribunal's final redistribution determination and its reasoning were  
advertised on 20 May 2017.

15 However, the redistribution does not take effect until the tribunal has determined the  
transition arrangements to implement the redistribution. This hearing is the first step  
in providing the community with the opportunity to provide input into this process.  
Hearings are being held in Hobart yesterday and Launceston today. The document in  
front of you outlines the powers and obligations of the tribunal in determining  
20 transitional arrangements under the Legislative Council Boundaries Act 1995. This  
tribunal has an obligation to bring an independent and unbiased perspective to its  
consideration of the transitional arrangements and to do so in a timely manner.  
Every person has a right to be heard at this inquiry.

25 So far as the procedure today is concerned, the hearing must be held in public. The  
tribunal is not bound by the rules of evidence and may regulate the conduct of  
proceedings as it thinks fit. We will deal with these matters as informally as  
possible, noting only that the tribunal has the power, if it thinks it's in the public  
interest to do so, to hold parts of its inquiry in private. You are invited to indicate  
30 whether there's any part of the material or information you want to provide to us you  
believe should be heard in private. We will consider such an application if and when  
it is made. That doesn't apply to your written submission we received a few days  
ago.

35 Although the tribunal has the power to do so, we will not be swearing people in to  
give evidence, because we are dealing essentially with matters of opinion rather than  
contested fact, but we do reserve the right to require you to give sworn evidence if  
necessary. Also, the Act requires that any evidence which is given by way of a  
written statement must be tendered and verified by oath. And, again, that doesn't  
40 apply to the statement you've already provided to us. So if you will be willing – if  
you will be tendering any additional written statement, we will need to administer an  
oath to them for the purpose of verifying that statement.

45 Subject to these matters, the intention is that you're invited to outline your views or  
proposals about the transitional arrangements uninterrupted. We will provide an  
opportunity for discussion and comment and questioning from members of the

tribunal and then an opportunity for a closing statement from you. As you can tell, today's proceedings are being recorded. Following today's inquiry and those in Hobart yesterday, the tribunal must:

5           *make an initial transition determination as soon as practicable after the completion of its deliberations.*

In this respect, the tribunal plans on meeting to deliberate following the hearing today. So we will carry on meeting after we've finished today:

10           ...*publish the initial transition determination in a public notice;*

*by public notice, invite any person or organisation within 14 days after publication to lodge a written comment, suggestion or objection in relation to*  
15           *the initial transition determination;*

*consider and hold a transition inquiry into the matters raised in any comments, suggestions or objections;*

20           *make a final determination of transition arrangements; and*

*any such determination takes effect on the date of its publication in the Gazette.*

25           Please note that any determination made by the tribunal is final and conclusive and may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any court or tribunal on any ground. Do you understand the process?

MS RATTRAY: I do. Thank you.

30           MR BLAKE: Please proceed.

MS RATTRAY: Thank you. Just one question if I may, Mike. Just in regard to the transition arrangements will take place at the date prescribed, does the legislation that was passed in the parliament hold any weight, then, for 1 January?

35           MR BLAKE: No.

MR HAWKEY: My understanding is that the amendment to the Bill is in relation to elections. So under 29 – can't remember which one it was – which section – sorry.  
40           Under 29 - - -

MS RATTRAY: I don't have the Act with me.

45           MR HAWKEY: Yes. A redistribution of the state under 25 takes effect subject to subsection (2) on and from the date of the determination of the redistribution except as provided in the determination of the tribunal under 29A, which is the bit that was, I believe, changed.

MS RATTRAY: So does that come into play? Is that a reasonable question?

MR HAWKEY: A redistribution does not affect the election of a member to fill a  
5 vacancy on the council. So I believe from 1 – now 1 January. So the 1 January in  
relation to an election boundaries, not necessarily the determination - - -

MS RATTRAY: Right.

MR HAWKEY: - - - of the tribunal.  
10

MR BLAKE: The transition arrangements, yes.

MS RATTRAY: Okay. That's interesting. I think perhaps - - -

15 MR HAWKEY: That's my understanding.

MS RATTRAY: - - - some members, including myself, might be of the  
misunderstanding that the actual transition arrangements wouldn't commence until 1  
January, but that's not the case, then.  
20

MR BLAKE: Not our understanding, no.

MR HAWKEY: Not our understanding, no.

25 MR BLAKE: Is that something we need to clarify?

MR HAWKEY: It is something that we will look into as this process goes on.

MS RATTRAY: That would be appreciated. Thank you. Just for the mechanics of  
30 - - -

MR BLAKE: Sure.

MS RATTRAY: - - - moving and relocating and all those things that might be  
35 necessary. So thank you. I appreciate that. Obviously, Chair, you have my  
submission.

MR BLAKE: Yes.

40 MS RATTRAY: And it was as brief as possible because I feel like it's a very  
difficult situation and when you read some aspects of the arrangements my  
proposition to be the member for McIntyre looks quite good and then you read  
another couple and then it doesn't look so possible. So that's – but my comment  
45 around that is that the continuity of a member's six-year term with five years  
remaining is important - - -

MR BLAKE: Yes.

MS RATTRAY: - - - not only to me but to the people that I represent at this point in time. And that has been very evident in feedback that I've received and also, too, the panel have concluded that there is a community of interest between the north-east east coast right across to the Meander – through the Meander Valley area. So,  
5 therefore, I would contend that it would be quite feasible that the current member for Apsley who has a five-year term is allowed the opportunity to actually serve out that time in that electorate because of that – (a) that continuity of representation but also with that community of interest - - -

10 MR BLAKE: Yes.

MS RATTRAY: - - - being identified by the panel and hence the choice to have the northern part in one electorate and then make a new electorate for Prosser. And obviously I acknowledge the difficulty that this – you know, this process is unfolding  
15 to my colleague, the Honourable member for Western Tiers, Greg Hall and, you know, he has been a first class member and I have no comment to make about that. So just that he has a much shorter term. That's my only comment there. Other than that, Chair, numbers – and that's a lot of – being what has brought about this change is the numbers. Even though I have a slightly less transfer of numbers with Apsley  
20 to McIntyre, which is the 12,300 and Western Tiers to McIntyre has close to the 15,000 – 14,962, the fact that Apsley also lost 2000 from the Lilydale Lebrina Tunnel area – if they were put into – into my – if they were still with that electorate, then we would almost be 50/50, so – and they are very close to that community of interest that resonates around that top half, as well. So that's – you know, it's just  
25 the way that the numbers have fallen have just put me just a smidgeon under that 50/50 split.

MR BLAKE: 50, yes.

30 MS RATTRAY: So other than that, Chair, I really don't think I have a lot more to add. I made my statement as brief as possible just to try and outline my thoughts without, you know, trying to make any aspersions against the other member. And I know – and I acknowledged in my last paragraph that this is a very difficult situation not only for us who are in it but also for you as panel members to make choice. So  
35 I'm happy to answer any questions or provide any clarification around anything that I have just presented or have written in my statement. Thank you.

MR BLAKE: Okay. Thank you. So I will open it up to the tribunal. Michael.

40 MR GIUDICI: Look, I don't have any further questions. You've articulated your case well, and - - -

MS RATTRAY: Thank you, Michael.

45 MR GIUDICI: - - - supported your submission.

MS RATTRAY: I appreciate that.

MS WARDLAW-KELLY: Yes, I think it's very clear.

MS RATTRAY: Thank you.

5 MS WARDLAW-KELLY: Thanks.

MR BLAKE: So I had a question about Prosser, which you haven't spoken about. Have you got a view about what should happen to Prosser?

10 MS RATTRAY: If I'm allocated Prosser, which – you know, most people say, "You're bound to get that." I will absolutely – I mean, I have 9182 of my constituents that I already represent so, you know, that's - - -

15 MR BLAKE: That's why I was interested in your views because, I mean, you've been looking after that – part of that already.

MS RATTRAY: I have, I have. My only concern around that is the fact that the new concentration is around the Sorell, Tasman Peninsula area, which is a much different community of interest. And that has been identified quite clearly by the fact that Prosser has been formed.

MR BLAKE: Yes.

25 MS RATTRAY: And, you know, I acknowledge that – that I can understand why the panel have decided that that's the way that it should work, because there is – and people who – and I've always said people who live around Swansea and below – when they go to town, they go to Hobart Town whereas the northern part – if they're going to town, they go to Launceston Town.

30 MR BLAKE: Yes.

MS RATTRAY: That's just the way it has been. It's interesting that the former member for Rumney often mentioned that he spent too much time dealing with constituents that belonged to me because they saw the Sorell-based office as their first point of call. So, you know, that in itself – I just - - -

MR BLAKE: Yes.

40 MR GIUDICI: So did you – if I may.

MS RATTRAY: I mean, I've – sorry.

MR BLAKE: Go on.

45 MR GIUDICI: Did you find any difficulty in representing that southern portion of Apsley because of those kind of different synergies about Hobart and Launceston – the groups of people?

MS RATTRAY: I won't tell you that the travel hasn't been a challenge.

MR GIUDICI: Yes.

5 MS RATTRAY: It is when you have a family, and most of us do. And you can  
certainly give your life to politics, but, at the end of the day, you do need to spend  
some time with family. So I do see some challenges with that, but, just the same, I  
have no alternative for another place of employment. And I – I, you know,  
genuinely believe that I was elected in 2016 to serve some part of the Tasmanian  
10 community. And so if that's – if that's where I'm allocated, that's where I'm  
allocated, but – and I will certainly, you know, do my utmost to represent that area.  
And you would have to acknowledge that technology in this day and age makes - - -

MR BLAKE: Makes it easier.

15

MR GIUDICI: Some difference.

MS RATTRAY: - - - life a lot easier to have, you know, dealings with constituents  
by way of email. Telephone is a bit different. Mobile service on the east coast is not  
20 terribly adequate.

MR BLAKE: No, it's not great.

MS RATTRAY: And I'm not sure if any of you travel much down the east coast  
25 - - -

MR BLAKE: Yes.

MS RATTRAY: - - - but it's hit and miss. It is hit and miss.  
30

MR BLAKE: Yes.

MS RATTRAY: And Michael Paterson and I from Telstra have many, many  
conversations about where the next mobile tower is going to be. So – but it's  
35 certainly, you know, when you've got an office in Hobart as well, I see an  
opportunity to be able to service that part of the electorate. And I haven't had a  
conversation with the newest member for Rumney about how she feels about losing a  
huge number of her constituents in a very short time, but - - -

40 MR BLAKE: Yes, yes.

MS RATTRAY: - - - that's the way it is.

MR BLAKE: Okay. Thank you. Anyone on my left? No?  
45

MR HAWKEY: No questions.

MR BLAKE: No.

MS RATTRAY: No. Okay.

5 MR BLAKE: So we've completed our questioning. Was there any final statement you wanted to make?

10 MS RATTRAY: No. Just really to reiterate that I truly believe that as – with the length of community service and the connection to that north and north-east and across into that Western Tiers area that that would be a very feasible way forward. And the argument that would be put is that there are parts of Western Tiers that will not have an election for some time. But it's about representation and I can absolutely guarantee that I will be able to provide the best representation and certainly equal to what has been provided in the past in that area. But either way, I will – you know, I will look after the electorate – make sure they have a voice, always.

MR BLAKE: Great. Thank you for – thanks for joining us and thanks for making a written submission.

20 MS RATTRAY: Thank you. Thank you.

MS FROST: Thanks, Tania.

25 MS RATTRAY: Got a chance to mention my dad.

MR HAWKEY: Yes.

MR GIUDICI: Yes.

30 MS RATTRAY: I will leave that behind. That doesn't belong to me.

**ADJOURNED** **[9.36 am]**

35 **RESUMED** **[9.49 am]**

40 MR BLAKE: Welcome to this hearing of the Redistribution Tribunal inter-transition arrangements ..... of the distribution of ..... legislative council boundaries. My name is Mike Blake, and I chair the Redistribution Tribunal. I will not introduce you to my colleagues because their names and roles were clear from their nametags. The tribunal's final redistribution determination and its ..... were advertised on 20  
45 May 2017. However, the redistribution does not take effect until the tribunal has determined the transition arrangements to implement the redistribution. This hearing is the first ..... providing the community with the opportunity to provide input into this process.



Hearings are being held in Hobart yesterday and Launceston today. The document in front of you outlines the powers and obligations of the tribunal in determining transition arrangements under the Legislative Council Boundaries Act 1995. This tribunal has an obligation to bring an independent and unbiased perspective to its  
5 consideration of the transition arrangements, and to do so in a timely manner. Every person has a right to be heard of this inquiry. So far as the procedure today is concerned the hearing must be held in public. The tribunal is not bound by the rules of evidence, and may regulate the conduct of proceedings as it sees fit.

10 We will deal with these matters as informally as possible, noting only that the tribunal has power to think – if it thinks it’s in a public interest to do so – to hold parts of the inquiry in private. You are invited to indicate whether there’s any part of the material or information you want to provide to us you believe should be made in private. We will consider such an application if and when it is made. Although the  
15 tribunal has the power to do so, we will not be swearing people in to give evidence because we are dealing, essentially, with matters of opinion rather than contested fact. But we do reserve the right to require you to give sworn evidence if necessarily.

20 Also the Act requires that any evidence which is given by way of written statement must be tendered and verified by oath. So if you will be tendering any written statement we will need to administer an oath to them for purposes of verifying your statement. That does not apply to the statement you’ve already provided to us. Subject to these matters, the intention is that you are invited to outline your views or  
25 proposals about the transition arrangements uninterrupted. We will provide you an opportunity for discussion and comment, and questioning for members of the tribunal, and then an opportunity for a closing statement from you.

30 As you can tell, today’s proceedings are being recorded. Following today’s inquiry and those ..... yesterday, the tribunal must make an initial transition determination as soon as practicable after completion of his deliberations. In this respect, the tribunal plans on meeting to deliberate following the hearings today. Publish the initial transition determination in the public notice. By public notice, invite any person or organisation within 14 days ..... publication to lodge a written comment, suggestion  
35 or objection in relation to the initial transition determination. Consider and hold a transition inquiry into the matters raised in any comments, suggestions and objections.

40 Make a final determination of transition arrangements, and any such determination takes effect on a date of its publication in the gazette. Please note that any determination made by the tribunal is final and conclusive, and may not be challenged, appealed against, reviewed, quashed, set aside or called into the question ..... court or tribunal on any grounds. Do you have any questions about these  
45 procedures?

MS ARMITAGE: No.

MR BLAKE: Please proceed.

MS ARMITAGE: I thank you. And, as I mentioned, I actually find that the changes to Launceston – I don't have any problems with them. I think it's around about 3.25  
5 per cent. So it's very small changes. I'm quite happy with what you've actually done. I have to say that Devon Hills is really almost like a satellite area of Launceston. It's not very far out. And, of course, with all the changes we're having it's – and I'm pleased I've kept Hadspen, because I – I see with Hadspen and Meander Valley that a lot of the work that is being done and a lot of the new  
10 development is actually joining it all closer to Launceston and basically – it's so close it's more a residential area than it is a rural area, so I think that's a really good change to keep Hadspen as part of Launceston, because before long it will actually be joined up.

15 There's not a lot of difference there. So I don't have any real problems with it. My main thing is to just – simply to say that I see with Launceston being just over 3 per cent change I would hope that we don't change the cycles. I think the cycles work quite well as they are. You know, the three – one year. The two the next. It keeps the – it keeps a nice even working of the legislative council – the way that it goes.  
20 That there's no great changes with members. I see with the local council – I think all in or all out I see a few difficulties there. And I would hate to see a change to the cycles of the legislative council. I think it does work well that we – we have them randomly coming up, as we know.

25 As I said, you know, with three and two or two and three, or even if it's three at a time with some. Probably one of the issues that I've seen – and I mentioned to Andrew yesterday ..... but it's possibly not anything for your committee is the word council. I think that's the path that is confusing for people calling it legislative  
30 council. And maybe that is something we will look at at the upper house that should be, perhaps, legislative assembly, which I think people have more of an understanding. Then they wouldn't have that confusing path about saying, you know, I mean, that council, not that council ..... no. No. No. This is legislative council. I think that's one of the biggest issues. And we may get a higher voter turnout if there wasn't the confusion with council. But I understand that's nothing to  
35 do with this committee today.

MR BLAKE: Yes. Look, it's interesting you say that, because when I read the legislation I get caught between which council am I thinking about, so – yes. It's a  
40 good point.

MS ARMITAGE: Well, particularly, I think in the electorate of Launceston, because there is a Launceston Council.

MR BLAKE: Council.  
45

MS ARMITAGE: And I think that's a thing. And because I was a deputy mayor of Launceston Council it gets even more confusing for people. But I'm sure with a lot

of the others too – a lot of the other electorates around the area there’s just that word council. And I think the fact that councils are a non-compulsory election. And so perhaps that might change too if councils become compulsory, because ..... it’s one of the things we discussed with Australia Post and different things whether at council  
5 elections, you know, people were to go in. And ..... became compulsory that might change that confusion as well of voting that all of a sudden people might realise they have to vote, rather than thinking it’s council, do I vote, don’t I vote? But, anyway, getting back to what we’re - - -

10 MR BLAKE: Yes.

MS ARMITAGE: - - - supposed to be discussing. I have – look, I have no problems with it. I think it’s actually – it’s quite – it’s quite good to encompass Devon Hills. It’s fairly close to Launceston. It’s sort of nice to have a new area that  
15 you – that you haven’t seen before, so I don’t have any difficulty with that. And my main thing was to say that I – I really think that it works quite well – the way the cycles go at the moment. I would hope that we continue with the cycles. So I think that’s – it’s a move and it’s something that does work well, as opposed to ..... and they come up in half. I think with them coming up three or two at a time – and I’m  
20 sure from the perspective of the TEC it’s not properly quite as onerous as having a lot more ..... but there’s obviously a ..... cost to elections, as we all know. And I - - -

MR BLAKE: Yes.

25 MS ARMITAGE: I often notice – I think it was last year with – it might have been the year before ..... the member for Derwent. When someone heard on the radio that they should stand, and you just think – just stand for the sake of standing. They don’t appreciate the cost of an election when they purely standing for the sake of standing. And I ..... issues like that, so I do appreciate there’s a lot of work. Having  
30 been the chair of the TEC committee when we had ..... council. I – you start to appreciate how much actual work goes along with each election. And I think – unless you start looking more in-depth with those things you don’t appreciate how much work is involved for the people holding an election.

35 So that’s all I would say – is that I’m very happy with Launceston. I think just over a 3 per cent change. It’s probably negligible. It’s – losing one small area prospect – picking up an area – Devon Hills. I’m really pleased that you’ve decided to keep Hadspen with Launceston. I think that’s a really great move. It keeps that residential urban area as opposed to the rural. And I would hope that the cycles continue to be  
40 relatively the same.

MR BLAKE: Well, I will give my college a chance to ask you any questions. Do you have any questions?

45 MR GIUDICI: I don’t have any questions.

MR BLAKE: No.

MS ARMITAGE: You wouldn't have too many people coming in and being happy, would you? Well, I thought it's nice to come in and actually - - -

MR BLAKE: Well, it's good that you have. Yes.

5

MR HAWKEY: Yes.

MS FROST: Thank you. Yes.

10 MS ARMITAGE: Because all too often we – I know I find – it's the same in our jobs. All too often people come to you with a complaint, but no one ever comes to you when they say something is going right. But I just wanted to say, no. Look, I think they're good changes, and – but very happy to keep Hadspen.

15 MR BLAKE: Good to hear. Good to hear. Thank you.

MS ARMITAGE: Thanks very much. Okay. So if I can get back before 11 .....

MR HAWKEY: Sure. Thanks.

20

MR BLAKE: Thanks, Deborah.

**MATTER ADJOURNED at 9.58 am INDEFINITELY**