

Submission from Lockhart River Aboriginal Shire Council to Law, Justice and Safety Committee, Queensland State Parliament on: A new local Government Electoral Act: Review of Local Government Electoral (Excluding BCC).

This Submission has been made by the Lockhart River Aboriginal Shire Council. For more information, please contact: -

Peter Opio-Otim

Chief Executive Officer

Ph: 07) 4060 7144 or **Email:** ceo@lockhart.qld.gov.au

1. DIVIDED AND UNDIVIDE COUNCILS

Lockhart is undivided Council at present therefore Councillors are able to focus on what is best for the entire Community. Each Councillor however has got a portfolio and this encourages the Councillors to be seen from the "Overall picture" of the Community. Lockhart River Aboriginal Shire Council Submits that its Shire should remain undivided for the purpose of Local Government Elections and that other Council's should be given the choice to determine what is best for them.

2. CONDUCT OF ELECTIONS

The Electoral Commission of Queensland should be responsible for the administration of the quadrennial local government elections. The CEO of a Local Government Council should not act as the returning Officer at any local government area elections. Elections should be conducted by an independent commission that moves in and moves out once the elections are being held.

3. TIMING OF ELECTIONS

Given the vagaries of weather and other non-man-made risks associated with holding elections in the last Saturday of March; the Council strongly recommended that the Local Government Elections should be held on the Last Saturday in May.

4. CANDIDATES – REQUIREMENT AND CONDUCT

Elections are about choice, but that choice must be exercised within bounded limits. To this end, Council submits that a Candidate for a local Government election must be nominated by at least 12 electors of the local government area in which the elections is to be held. The nomination by a registered officer of a political party must be removed.

5. RESIDENTIAL QUALIFICATION

All candidates must be required to live in the local area in which they stand for election, and the elected Councillor must live in the area for the whole duration of the term of office. No "arms length"; "quasi residents" or "part time resident" be allowed to stand for local elections. Residential qualification must not be compromised. It must be indivisible.

6. DUAL CANDIDATES

No person should be allowed to stand as a dual candidate for both the Mayor and Councillor. Again, candidate must be decisive. If a person were to stand as a dual candidate for both Mayor

and Councillors, if the losing Mayoral candidates become the majority Councillors this could cause instability in the Council.

7. PROMOTIONAL MATERIALS: HOW TO VOTE CARDS

In keeping with the principle of freedom of information, candidates should be allowed to produce promotional materials and how to vote cards. This is part and parcel of the campaign strategy as well as reaching the minds of the “Undecided” voters. This process can contribute to the overall exercise of ventilating the minds of the electors and the community people at large.

8. COMPULSORY VOTING

Voting is based on choice, choice to vote for somebody or not to support a certain candidate. Not voting can be seen as a deliberate choice, just like councillors are allowed to abstain from voting at council meetings. Therefore, voting should not be made compulsory for Local Government Elections in Queensland.

9. VOTING

The right to vote in Queensland Local Government Elections must not be extended to non-resident propertyowners. The fundamental principle of one person one vote in one area must prevail. We must refrain from creating a “Super Person” in the electoral system of Queensland Local Government.

10. VOTING SYSTEM

The criteria to enable an elector to vote by post or at a pre-poll voting centre should be abolished. This will improve the speed at which the results of the elections can be known. Indeed the Electoral Commission should begin the process of investing in E-Voting system. The world is mobbing forward not backwards. The most appropriate voting system is Local Government should be First-Past-The-Post. Electors must be decisive and not vote on “decimal points” basis.

11. OTHER ISSUES IN RELATION TO THE INQUIRY

On a separate but related issue, the council observed that the Local Government Reform Commission must be seen as a totally representative commission. To this end the council strongly recommends that at least one of the members of the Commission must be an indigenous person. However, given that a member of the Commission must be a Member of Parliament, this suggestion calls for a radical change in the representation system.