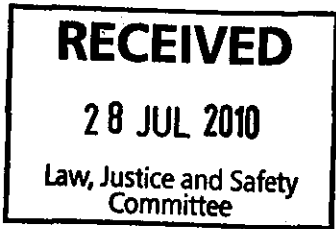


Submission 047

Date: 28 July 2010
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Dear Sir/Madam

Re: New Local Government Electoral system

Please find attached Gold Coast City Council's submission to the Committee's review into a new Local Government Electoral system.

The submission was endorsed by Council at its meeting of Monday 26 July 2010.

Gold Coast City Council appreciates the opportunity to participate in the public consultation on this most important matter.

Yours faithfully

A handwritten signature in black ink, appearing to be "A R Davis", written over a horizontal line.

A R Davis
MANAGER OFFICE OF THE CEO
For the Chief Executive Officer

enclosure

**Gold Coast City Council submission to the Parliamentary Inquiry
Review of the Local Government Electoral System**

Question 1 Are the procedures for the division of councils adequate?

Answer Yes. It is considered that the criteria for locating boundaries are adequate and sufficiently flexible to address the needs of individual communities. It is also appropriate for Council's to make submissions in relation to the number of divisions and locations of boundaries is also appropriate.

It is considered that for Gold Coast City Council any variance greater than + or - 10% is too difficult to work with.

Question 2 If the procedures for the division of councils are not adequate, what changes are required?

Answer Not applicable.

Question 3 Are the error margins of 10% in local government areas with more than 10,000 electors and 20% in all other cases sufficient?

Answer Yes.

Question 4 Should the mix of divided and undivided councils remain? If so, should the decision to divide a local government area remain with individual councils?

Answer The mix of divided and undivided councils should remain. The decision to be divided or undivided should rest with individual councils on the basis that electoral arrangements should best serve the local community. As is so often stated, local councils best understand their communities.

The mix of divided and undivided provides flexibility which is particularly relevant as sizes and the geographic makeup of local government areas are so diverse. It overcomes the problems typically associated with a "one size fits all" concept.

Question 5 Are there other matters the Committee should consider in regard to local government divisions?

Answer No. It is considered that divisional representation is fundamental to local government democracy in large, highly populous, urban local governments.

Question 6 Should the Electoral Commission of Queensland be responsible for the administration of the quadrennial local government elections or should this responsibility remain with Council CEOs?

Answer The Electoral Commission of Queensland should be responsible for the administration of the quadrennial local government elections and by-elections for "large" councils. It should be optional for other councils.

**Gold Coast City Council submission to the Parliamentary Inquiry
Review of the Local Government Electoral System**

Question 7 If the ECQ is to be responsible for local government elections should the new Act allow more flexibility in regard to the conduct of the quadrennial elections than the current Act does? If so, how?

Answer There should be standard provisions across local government for the conduct of elections. Flexibility could be built-in with respect to the use of postal ballots where a local government decides to use that method in preference to a standard ballot.

Question 8 Is the time for the close of the rolls and the date of the elections appropriate?

Answer Yes, two months is a reasonable period to close rolls before an election.

Question 9 What changes, if any, should be made to the timing of local government elections?

Answer Local government quadrennial elections should be held in late October.

Question 10 Is the nomination process adequate? Why?

Answer Yes. The necessary safeguards are present but they are not so onerous as to restrict or unreasonably impede an eligible candidate from standing.

Question 11 Does the current system and encourage a diverse range of candidates to stand?

Answer Yes.

Question 12 Should a candidate be required to live in the local government area in which they stand for election?

Answer Yes.

Question 13 Should a Councillor be required to live in the local government area for their whole four year term?

Answer Yes.

Question 14 Should a person be able to stand as the dual candidate for both Mayor and Councillor?

Answer No.

**Gold Coast City Council submission to the Parliamentary Inquiry
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An alternate view is that the dual candidacy may benefit the community. There may be circumstances whereby the community loses the benefit of a highly valued and respected candidate simply because of the high quality of the field of candidates for a specific election.

Question 15 Should the new Act allow Mayors to be appointed by their fellow Councillors?

Answer No. The Mayor should be popularly elected given the responsibilities and status associated with the position.

Question 16 Are the requirements for disclosure of campaign funding sufficient?

Answer The current requirements for disclosure are too onerous. The reporting requirements for candidates for local government elections should be the same for all candidates including candidates of political parties. Further the reporting requirements should be the same as those for candidates in State and Federal elections.

Question 17 Should candidates make disclosures before, progressively during, and after an election period?

Answer The disclosure requirements for local government elections should be the same as those for candidates in State and Federal elections.

Question 18 Should all disclosure requirements, such as values, disclosure periods and who must comply be standardised?

Answer Yes. Moreover the disclosure requirements for local government elections should be the same as those for candidates, donors and third parties for State and Federal elections.

Question 19 Should particular fund raising activities for local government elections be prohibited?

Answer Requirements for fund raising activities for local government elections should be subject to the same requirements as fundraising activities for State elections.
It is noted that, in the past, fundraising events for Federal elections have included \$10,000 a plate dinners with the Prime Minister. On this basis it would be a nonsense to restrict or ban fundraising dinners and the like at a local government level.

Question 20 Should how to vote cards be free from promotional content?

Answer No on the basis that, arguably, how to vote cards are by their very nature promotional. However see below in answer to question 21.

Question 21 Should how to vote cards be standard for all candidates? If so, should these be provided in all polling booths and postal vote packs by the Electoral Commission of Queensland?

Answer No. Candidates should be free to differentiate their campaign and messages from other candidates, including their presentation of how to vote cards. However, there should be controls to ensure that the content of how to vote cards is not misleading.

As an observation, the provision of standardised how to vote cards in polling booths coupled with a ban on advertising (including handing out of how to vote cards) within 100 metres of a polling booth entry point, would go a long way to reducing clutter and litter associated with the election. It would also significantly reduce the discomfort of electors from unwanted attention from persons handing out how to vote cards and other material at the entry to polling booths.

Question 22 What promotional material, such as bunting (continuous signage) and coreflutes, should be allowed during the campaign period and at polling booths on election day?

Answer Local governments should be able to make local laws to regulate the type, size and location of promotional material during the campaign period and on election day.

Question 23 Should the placement and amount of election campaign material be standard across all local government areas?

Answer No. Different communities will be subject to different types of campaigns and advertising. It is likely that the electorate will punish a candidate who oversteps the mark in his/her campaign or in respect of advertising.

Question 24 Should a "media blackout" period apply for local government elections? Why? For how long?

Answer A media blackout period is not appropriate for local government elections. It is considered impractical to attempt to control the range of media opportunities, including such avenues as Internet pages, Facebook, twitter, e-mails, SMS messages and the like.

Question 25 Should voting remain compulsory for local government elections in Queensland?

Answer Yes. Further the State government should take the necessary action to enforce this.

Question 26 Should the option of a postal vote be extended to all voters in every area?

**Gold Coast City Council submission to the Parliamentary Inquiry
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Answer Yes.

Question 27 Should a full postal ballot be automatic for some local government areas? If so, why and for which areas?

Answer It should be for the returning officer for the relevant election to determine whether or not a postal ballot is appropriate for the area as he or she is in the best position to make that determination.

Question 28 Should the criteria for pre-polling and postal voting be abolished?

Answer Yes. Every elector should have the option of pre-polling or postal voting for every local government election.

Question 29 Does the restriction on voters to attend only polling booths in a division in which they are enrolled adversely affect voters? If this were altered what impact would that have on the administration of the elections in that local government?

Answer The restriction which requires voters to attend only polling booths in a division in which they are enrolled does adversely affect voters. In elections up to and including 2004, Gold Coast City had multidivisional booths in selected areas within the city in recognition that many electors had to work on the Saturday and that it was not necessarily practical for them to attend a polling booth close to their residence.

Question 30 Should the new Act allow absent voting? If so, should this be restricted to absent voting within a local government area only?

Answer Yes and yes. Absentee voting should be allowed within the local government area.

Question 31 Should the right to vote in Queensland local government elections be extended to non-resident property owners within an area? If so, should this apply to overseas investors?

Answer The right to vote should be restricted to persons on the electoral roll within the division/area.

Question 32 Should voting rights be extended to non-resident occupiers (e.g. commercial lessees such as business owners who lease premises within an area but live outside of it)?

Answer The right to vote should be restricted to persons on the electoral roll within the division/area.

**Gold Coast City Council submission to the Parliamentary Inquiry
Review of the Local Government Electoral System**

Question 33 Should multiple persons be able to claim non-resident voter eligibility for one property (e.g. two or more non-resident owners all lessees of a property)?

Answer The right to vote should be restricted to persons on the electoral roll within the division/area.

Question 34 Should people, based on the number of properties they own, be entitled to more than one vote per division?

Answer No.

Question 35 Who should be responsible for the creation, verification and maintenance of a non-residents' electoral roll?

Answer Gold Coast City Council does not support the concept of non-residents having a vote.

If a non resident's roll is introduced the Electoral Commission of Queensland should be responsible for that roll.

Question 36 Which voting system is most appropriate for local government elections - Optional Preferential voting, Compulsory Preferential voting, First-Past-The-Post or Proportional Representation? Why?

Answer Optional preferential voting is considered to be the most appropriate for local government elections as:

- it is consistent with the voting method in State elections
- it is a familiar to electors
- it is simple to operate
- it is indicative of the preferences of the electorate
- it ensures that the candidate elected is the one with the most support in the community

Question 37 Would different voting systems work better for different sized local governments? Why?

Answer It is considered that optional preferential voting is the most appropriate for local government elections as outlined above. It is considered that proportional representation is overly complex, time-consuming and, in any event, clearly favours party politics to the detriment of independent candidates.

Question 38 Should Proportional Representation be introduced for Queensland local government elections? If so, why and

- (a) which model/s should be implemented?
- (b) how would this be implemented in divided and undivided councils?
- (c) should apply for all councils? If not, which councils should proportional representation apply to?

**Gold Coast City Council submission to the Parliamentary Inquiry
Review of the Local Government Electoral System**

Answer It is not recommended that Proportional Representation be introduced for Queensland local government elections. This method of voting is complex, costly, time-consuming and does not significantly enhance the electoral process.

Proportional representation requires either an undivided Council or multimember divisions before it can be implemented. Proportional Representation is totally inappropriate for divided, single-member division Councils.

As stated above, it is recommended that the Optional Preferential voting be standard across all local governments in Queensland.

Question 39 **What other issues should the committee considered in relation to this enquiry?**

Answer It should be a requirement for all candidates to receive, no later than the close of nominations, a copy of the voters roll in both hardcopy and electronic format. The electronic format should be capable of being sorted by industry standard software.

The tax deductions limits for local government candidates' campaign expenses should be the same as those Federal and State elections.