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Submission 058

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29 JUL 2010

Law, Justice and Safety  
Committee

29 July 2010

The Research Director  
Law, Justice and Safety Committee  
Parliament House  
BRISBANE QLD 4000

Dear Sir/Madam

### **SUBMISSION ON REVIEW OF THE LOCAL GOVERNMENT ELECTORAL SYSTEM**

Please find detailed below Logan City Council's response to the Law, Justice and Safety Committee "Review of the Local Government Electoral System".

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

Yes. The existing procedures for determining divisions in a local government area are adequate.

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

Council recommends no change.

*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?*

Council believes that the margin allowance of 10% for local government areas with more than 10,000 electors is sufficient.

*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?*

Yes, Council believes that the decision to have divisions or undivided should be a decision for individual councils to make.

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

No.



**LOGAN CITY COUNCIL**

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*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?*

Logan City Council has had a long standing policy position that the decision about who should be responsible for the administration of the quadrennial local government elections should remain with Councils. With this in mind, the legislation should provide the ability for councils to appoint the CEO as Returning Officer (RO), appoint another suitably qualified person as RO or appoint the ECQ as RO.

From Council's experience, it is much more cost efficient for councils to run their own elections. In our case, we have a number of well qualified staff in this area who are at the least the equal to any Returning Officers in Queensland.

The decision to appoint an RO should definitely remain a decision for the councils and they should be allowed to call for competitive tenders from the market (including ECQ) to ensure that they are delivering best value for money to their community.

*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?*

If the state decides to make it mandatory for the ECQ to run all Council elections this should include responsibility for election gifts administration as well. This suggestion is based on feedback from candidates who contested the March 2008 election.

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

We believe the time for the close of rolls and the date of the election is still appropriate.

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

No comment.

*Question 10: Is the nomination process adequate? Why?*

We believe the existing nomination process is adequate.

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

We believe the current system does encourage a diverse range of candidates to stand.

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

We believe a candidate should be legally required to live in the local government area which they stand for election.

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

We believe a councillor should be legally required to live in the local government area for the whole four year term.

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- Question 14: Should a person be able to stand as a dual candidate for both mayor and councillor?*
- No. We believe a person should not be able to stand as a dual candidate for both mayor and councillor.
- Question 15: Should the new Act allow mayors to be appointed by their fellow councillors?*
- No. Mayors should continue to be elected across the entire local government area.
- Question 16: Are the requirements for disclosure of campaign funding sufficient?*
- We believe the requirements for disclosure of campaign funds and election gifts should be uniform for local and state governments.
- Question 17: Should candidates make disclosures before, progressively during, and after an election period?*
- We believe the requirements for disclosure of campaign funds should be uniform for local and state governments.
- Question 18: Should all disclosure requirements, such as values, disclosure periods and who must comply, be standardised?*
- Yes. We believe disclosure requirements should be standardised for local and state candidates.
- Question 19: Should particular fundraising activities for local government elections be prohibited?*
- The same rules relating to fundraising activities should apply to local and state government.
- Question 20: Should how-to-vote cards be free from promotional content?*
- No comment.
- 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?*
- The same rules should apply to local and state elections.
- 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?*
- The same rules should apply to local and state elections.
- Question 23: Should the placement and amount of election campaign material be standard across all local government areas?*
- The same rules should apply to local and state elections.

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

The same rules should apply to local and state elections.

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

Yes. Voting should remain compulsory for local government elections in Queensland.

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

The same rules should apply to local and state elections.

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

No, a full postal ballot should not be automatic for some local government areas. It should be the choice of the individual local government.

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

The same rules should apply to local and state elections.

*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?*

Council does receive complaints from people attending polling booths outside their division requiring a vote. Whilst we can give them a mayoral vote we are unable to give them a vote for their divisional councillor. If people were able to vote outside of their division we think that it should be able to be incorporated into election administration processes.

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

Question 29 really deals with absent voting within the local government area and we think that it is possible if council were to run these elections, obviously it would need to be restricted to only 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?*

No. We don't believe the right to vote in Queensland local government elections should be extended to non resident property owners or overseas investors.

*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)?*

No. Voting rights should not be extended to non resident occupiers.

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

No.

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

No.

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

Noting Council's objections to non-resident and non-occupier voting, for the purposes of this question, the state government should.

*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?*

We believe the current arrangements are adequate and appropriate.

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

We believe the current arrangements are adequate and appropriate and ensure consistency across the state.

*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 it apply for all councils? If not, which councils should proportional representation apply to?*

No, Logan City Council does not support proportional representation for local government elections.

*Question 39: What other issues should the Committee consider in relation to this inquiry?*

No comment.

If you have any further queries relating to the above submission, please contact Council's Governance Manager, Mr Simon Benham on 3412 5212.

Yours faithfully



John Oberhardt  
Deputy Chief Executive Officer - Organisational Services  
(on behalf of Chris Rose, Chief Executive Officer)