

30 JUL 2010

Law, Justice and Safety
Committee**INDIVIDUALS SUBMISSION TO THE COMMITTEE:****A NEW LOCAL GOVERNMENT ELECTORAL ACT:
REVIEW OF THE LOCAL GOVERNMENT ELECTORAL SYSTEM
(EXCLUDING BCC)***Issues Paper June 2010*

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

Thank you for the opportunity to respond to your issues paper.

While I am not associated with any political party I am a ratepayer and voter and consider this issue paper requires input for the betterment of the local government system.

I therefore submit the following comments and ideas based on the issues paper numbering:

Divisions

- 1) Are the procedures for the division of councils adequate?
- 2) If the procedures for the division of councils are not adequate, what changes are required?
- 3) Are the error margins of 10% in local government areas with more than 10,000 electors and 20% in all other cases sufficient?
- 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?
- 5) Are there other matters the Committee should consider in regard to local government divisions?

1. The procedures, to a layman appear adequate,
2. No comment,
3. These have been used previously and would appear reasonable,
4. I believe this should be reviewed. In the case of Townsville City Council a divided council would potentially provided a better mix and enable local residents a better say in terms of their areas. In making this observation the current arrangement with Councilor's nominated for a particular area has provided an opportunity to ratepayers to approach a councilor if they wish.

The argument that being undivided makes for a better Council with members looking at the good of the total local government area, rather than the division, is I feel an insult to potential councilors as they are elected to represent a division and also the local government area.

5. The potential to have multi member divisions where there maybe 2-3 persons representing a wider area so a balanced view can be held for that area and political influences minimized.

Conduct

- 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?
- 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?

6. I believe the role should remain with the Electoral Commission of Queensland and it provides an independent overview and is not subject to local influences on the Council CEO.
7. In remaining with ECQ there does need to be some flexibility in its conducting of the election to suit the geographic area of the voting public. It also will need to flexible in terms of local issues e.g. flooding in the north so all electors are treated fairly.

Timing and Electoral roll

- 8) Is the time for the close of the rolls and the date of the elections appropriate?
- 9) What changes, if any, should be made to the timing of local government elections?

- 8 This is considered appropriate,
- 9 The current arrangements enable the voting public knowledge of the term and thus the expectation that a Council will be judged on its performance over a designated period. It also provides the elected Council a timeframe to undertake the duties of the Council and ensures they manage their time and ratepayers money responsibly knowing they are subject to scrutiny by the people who elected them.

Nomination Process

- 10) Is the nomination process adequate? Why?
- 11) Does the current system encourage a diverse range of candidates to stand?
- 12) Should a candidate be required to live in the local government area in which they stand for election?
- 13) Should a councillor be required to live in the local government area for their whole four year term?
- 14) Should a person be able to stand as a dual candidate for both mayor and councillor?
- 15) Should the new Act allow mayors to be appointed by their fellow councillors?

10. Basically, yes, however it would be desirable to limit the 'political' parties in the Local Government scene so concentration is on local issues not political grandstanding.

11. Difficult one as basically gives anyone the opportunity but is also limiting and has been hijacked by the political parties so potentially good councilors feel constrained by the system.
12. Yes – as if not they don't understand the local issues.
13. Yes – if they leave the area. As paid representatives of the ratepayers they should also have to experience (suffer) the consequences of their decisions.
14. Yes- as there is the loss of experience and it is more equitable to have the experienced people standing for council and if elected, as Mayor, then another can take that persons place and retain good representation.
15. Definitely NO as this is the common problem we experience in our state and federal systems and the voters have no say in it.

Disclosure

- 16) Are the requirements for disclosure of campaign funding sufficient?
- 17) Should candidates make disclosures before, progressively during, and after an election period?
- 18) Should all disclosure requirements, such as values, disclosure periods and who must comply, be standardised?
- 19) Should particular fundraising activities for local government elections be prohibited?

- 16 On the basis of the advice in the issues paper – yes
- 17 Preferably before the election with verification after if elected,
- 18 Standardisation of disclosure statements should be undertaken,
- 19 No comment

Signage

- 20) Should how-to-vote cards be free from promotional content?
- 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?
- 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?
- 23) Should the placement and amount of election campaign material be standard across all local government areas?
- 24) Should a 'media blackout' period apply for local government elections? Why? For how long?

- 20 How to vote cards should be free from promotional material. In fact they should be banned from local government elections as really irrelevant to local government and is pampering to political parties.
- 21 If required they need to be standardized so no confusion to the voters,
- 22 A difficult issue. I personally believe all bunting and electoral items should be at least 1km from a voting place so the public can enter and not be harassed by political party faithful. However, reality is that will never be adopted, so it should be within 50 m of the entry point to site housing a voting place. That means if in a school

building 50m from the gate leading into the school campus, not only the building

- 23 Yes, there should be strict criteria developed to limit the campaign material floating around to ensure the public are not confronted by it at every turn. Mobile advertising should be banned and limitations placed on the amount spent to allow better balanced representation on councils.
- 24 Yes, in a perfect world a month before so people can give appropriate consideration to the candidates. We are of course only talking a local government election and thus the things are of a local content. Realistically a week before should be the basis of a media ban, including newspapers with ads limited in size of ¼ page.

Voting

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

25. I believe it should remain compulsory to ensure the wider younger generation has to take some responsibility for the future.

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

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

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

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?

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

26. Yes the opportunity to undertake a postal vote should be available to electors with appropriate reason e.g. armed forces serving overseas, out of area for a operation etc.
27. In some areas this should be considered especially in rural, wide spread local government areas.
28. Yes as an aging population and a diverse population it provides flexibility to the electors.
29. Attendance at a booth within your division is not a problem as long as there are a number provided depending on the size of the division. They also need to be clearly identified as if I recall correctly there is a use of different polling places for the federal, state and local government elections here in Townsville. Allowing attendance at other divisions in a local government area would entail additional staffing to check people off, more printing of ballot papers so stock held at all polling places. Not an efficient approach.
30. No - as other avenues are available with the postal and pre polling and absentee ads another dimension not really applicable to local government needs, and expense.

Property Franchise

- 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?
- 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)?
- 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)?
- 34) Should people, based on the number of properties they own, be entitled to more than one vote per division?
- 35) Who should be responsible for the creation, verification and maintenance of a non-residents' electoral roll?

31. No - while an owner of property they are benefiting from the income derived from their investment and accepting the potential capital gains their property will make. While decisions may affect their investment they should be aware of any issues through their real estate manager or tenant.
32. As for residential –No – as a business investment and as it is a business, it could be construed as being able to influence decisions made by Council.
33. Definitely a No, as could again provided an unbalanced result in ballots.
34. No, it makes no difference how many properties you own as the property is represented by the tenant's who vote and they are the ones in the local government area.
35. Not applicable as it is not needed. The council already holds a list of ratepayers and would know whether they were within or out of the local government area.

Voting system

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

36. Having reviewed the types of systems the fairest method is actually dependent of whether divided or undivided and still relies on 'parties' rather than individuals. However, I feel, for Local government elections in both divided and undivided the Proportional representation system is superior to optional preferential and first past the post.

37. Perhaps depending on size and diversity however a standardized approach is simpler for the voting public.
38. As noted above I support proportional representation.
 - (a) The STV is the fairest and most representative system as the electors know that the elected officials are the ones the majority of electors considered suitable for the positions, also knowing their preferences have been taken into consideration.
 - (b) While this could have some difficulties in a division ballot, the introduction of multiple representation in the divisions (say 3 positions) provides a quota. In the undivided instance it is purely the number of electors divided by the number of councilors e.g. 40,000 electors and 10 councilors thus 4001 is the quota.
 - (c) If adopted it should be across the board for elector understanding and overall clarity of the electoral system.

Other

39) What other issues should the Committee consider in relation to this inquiry?

39. Some means of returning Local Government to the ratepayers and residents of a Local Government area. Unfortunately the whole local government system has been hijacked by the political parties and we hear silly comments like 'being then opposition'. Local Government should be for the management and betterment of the local community and environment rather than a political stepping stone. Perhaps there is an opportunity to undertake this during this review of legislation.

SUBMISSION BY

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