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Sent: Friday, 30 July 2010 12:38 PM
To: Law, Justice and Safety Committee
Cc: Hinchinbrook Electorate Office
Subject: Submission to REVIEW OF THE LOCAL GOVERNMENT ELECTORAL SYSTEM

Below are my responses with some initial comments to the questions published for this enquiry. Note that I have only answered questions where I have an informed view of that particular issue. The questions are numbered and my comments are in *italics*,

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**A NEW LOCAL GOVERNMENT ELECTORAL ACT:
 REVIEW OF THE LOCAL GOVERNMENT ELECTORAL SYSTEM
 (EXCLUDING BCC)**

Divided Councils & Undivided Councils

There is one important question missing out of this. Should TCC be divided? The answer from me is a resounding NO. The best method of allowing the community to select the council that they want is for them to have a chance to vote on all of the councillors and not just 1. Additionally, with a divided council, councillors have little reason to take any interest in matters occurring outside their own division and would therefore be reluctant to question an officer's recommendation.

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

The present guidelines seem inadequate, in particular relying on population alone for allocation of the divisional boundaries.

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

There needs to be some allowance for the aerial size of a division if the council is divided.

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

No – this is the key issue when some of the outer areas of the city are effectively rural but cover much larger areas. The time and effort that is needed in these larger divisions is disproportionate to the size of the population. 20% may be a more appropriate error of margin for councils with large rural areas on the fringes.

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 and yes. It should be up to the electors of each LGA to decide if they are best served by divisions or not.

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

Yes – if there are divisions, councillors should be required to live in the division they represent.

Administration of elections

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?

I suggest that CEO's could do it at much lower cost.

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 than the current Act does? If so, how?

N/A

Timing of the elections and closing of the electoral roll

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

Yes

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

I believe that elections should be either shortly before or after the new financial year in April or September. In either case, this avoids the potential for heavy rain and adverse weather to disrupt elections somewhere in Queensland. Secondly, a late April election would allow a new council enough time to influence the first budget. Alternately, if the election were in September, this would allow end of financial year activity to be finalised before an election were held. Both are much better solutions than the present march elections.

Nominations and candidature requirements

10. Is the nomination process adequate? Why?

Yes but the nomination fee should be increased substantially to reflect the cost of administration and to reduce the likelihood of nominations for spurious reasons. I suggest \$1000 for councillor nominations and \$2500 for mayoral nominations with no refund regardless of success or failure

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

In undivided, yes but in divided, the advantage goes to political parties rather than community members.

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

Definitely and in my view, if the LGA is divided, then they should be required to live in that division.

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

Yes

14. Should a person be able to stand as a dual candidate for both mayor and councillor?

Whilst I can see benefits with regard to having the best group of councillors, this may cause some instability within council in the lead up to the next elections. At the end of the day, there should be no second prizes.

15. Should a new Act allow mayors to be appointed by their fellow councillors?

I could support this so long as the appointment was for the full term of council. There would be too much disruption and potential for favouritism if the opportunity was there to change the mayor at any time.

Campaign funding and disclosures

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

No. All candidates should be treated equally regardless of whether they have political affiliations.

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

Yes – perhaps 2 months before, 3 weeks before and then 2 months after.

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

Yes

19. Should particular fundraising activities for local government elections be prohibited?

This needs further discussion

Electoral signage and advertising material

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

Yes

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?

Yes. Additionally, one card from each candidate/team should be posted in the front of each polling booth and the waste that occurs in handing out cards should be stopped.

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

Minimal. I believe that 1 core flute per entrance per candidate should be the maximum allowed.

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

Yes

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

Further discussion required but should be the same as for Commonwealth and State Elections.

Compulsory voting

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

Yes

Postal voting, pre-polling and absent voting

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

Yes

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

No – changing to late dry season will negate the necessity for this in most cases.

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

No

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?

Another good reason for undivided councils. This is an administrative nightmare.

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

As above

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?

No

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

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

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

No

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

QEC

Operational Preferential voting, First-Past-The-Post voting, Proportional Representation voting systems

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

First past the post. This system prevents political parties/teams from getting an advantage by

