



LOCKYER VALLEY REGIONAL COUNCIL

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**Law, Justice and Safety
Committee**

Submission 080

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Susan Boland

5462 0326

30 July 2010

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

Dear Sir/Madam

I refer to the Committee's request for submissions on a New Local Government Electoral Act: Review of the Local Government Electoral System (excluding BCC) and in response enclose Council's responses for consideration by the Committee.

Should you require any further information or comment, please do not hesitate to contact me at the Regional Administration Office in Gatton.

Yours faithfully

CLINTON WEBER
Director Corporate Governance

Lockyer Valley Regional Council

Submission

to

Law, Justice and Safety Committee

on

**A new Local Government Electoral Act:
Review of the Local Government Electoral System
(excluding BCC)**

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

Council has a preference to remain Undivided for electoral purposes at this point in time.

However, they also wish to retain the current flexibilities whereby the choice of being Divided/Undivided falls to the individual Council subject to specified perimeters.

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

N/A

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 does not consider the margins are in fact "error" margins but more appropriately flexibilities built into the system to reflect real life situations.

The current margins are considered appropriate.

- 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?**

It is appropriate for some Council's to remain divided and others undivided. This is reflective of the diversity of the geography and demography of the State.

The decision should remain with the individual Councils.

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

N/A

- 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?**

It is considered that the question of the conduct of the quadrennial elections should be left with the individual councils and they should retain the ability to conduct them in-house or contract the provision of the service to another entity eg. Electoral Commission Queensland.

The current system where ECQ are required to conduct all local government elections in Queensland significantly delays the announcement of results and is much more expensive than when controlled through the local government.

- 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?**

Refer question 6. The current local government electoral provisions have been developed over the long period of time. They account for how the local electorate views the process occurring. If the ECQ is to continue to undertake local government elections then the level of training and knowledge of the system needs to be increased dramatically.

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

It is considered that the election would be more appropriately held in September/October.

The time between the closure of rolls and the election date as currently defined is adequate.

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

N/A

10. Is the nominations process adequate? Why?

The current nomination process is considered adequate. It provides for sufficient checks and balances but retains an openness and flexibility which allows anyone to nominate.

It is considered that the Nomination Deposit which has been set at \$150 should be increased.

Also, the position where the Nomination Deposit is paid by and returned to the Candidate is strongly supported.

Penalties for election offences need to be aligned with those applicable for State and Commonwealth electoral offences in order to reflect the seriousness of the offence.

How to Vote cards should be lodged with the Returning Officer prior to the election for approval, made available for public inspection before polling day and available for inspection at public places on polling day.

It is felt that the simplest method of controlling election costs and the wastage that occurs through the printing of large quantities of "How to Vote" cards and pamphlets is to provide a list of all candidates in each polling booth. This way a standardised set of information is provided to all electors to enable them to make their choices. This information could include photographs if considered necessary.

The "six metre" distance should be relaxed for pre-polling only.

The Minister should be responsible for approving some low level changes to electoral provisions.

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

No response

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

YES. A local government councilor must live in the area they represent. This underlying requirement is strongly supported.

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?

NO

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

No. Other States have tried and are using this process and it does not seem to work. There is significant change annually as the position changes and a resultant loss of momentum as priorities change frequently especially in regards to major Capital or Community projects.

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

YES

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

YES

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

YES

19. Should particular fundraising activities for Local Government elections be prohibited?

YES

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. YES.

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?

No response

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

Yes. Same as currently exists with State and Federal Government elections.

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

YES. Compulsory voting is strongly supported by this Council.

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

Yes. Postal voting should be an option in all local governments.

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

Full postal ballots should be optional in all local governments at the discretion of the individual local government.

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

No response

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?

Yes. It would actually provide more flexibility across the local government area. Voters should be able to attend any designated pre-poll and polling booths in the local government area.

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

No. The current provisions allow for any voter who would be absent from the local government area on polling day to obtain a pre-poll vote. The process is far from difficult but requires advertising and reinforcement in the lead up to and during the election period.

31. Should the right to vote in Queensland Local Government elections be extended to no-resident property owners within an area? If so, should this apply to overseas investors?

No. This option is strongly opposed.

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. This option is strongly opposed.

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. This option is strongly opposed

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

No. This option is strongly opposed

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

No response. Refer to answers for questions 31 – 34.

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

First – Past – The – Post should be the primary voting system used in local government in Queensland. It is by far the most efficient administratively and the best understood within all communities.

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

No response. Refer to answer to question 36

38. Should Proportional Representation be introduced for Queensland local government elections?

No. Refer to question 36.

39. What other issues should the Committee consider in relation to this enquiry?

No response.