



Southern Downs  
REGIONAL COUNCIL

Our Ref: RPF:MES

2 August 2010

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

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Dear Sir / Madam

**Re: Electoral Review**

I refer to the review being carried out by your Committee and advise that following consideration of the questions raised Council has agreed to respond to the questions as outlined below:

**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?**

Southern Downs does not have electoral divisions following a decision of both the former Councils that the electors across the region should have the right to select the best eight people for the job. Using divisions was seen as providing restricted representation based upon population groupings within the region.

Council believes the situation at present is the best way to reflect the people's vote and no change should be made. The decision to remain as an undivided area should remain with the local government and the general guidelines for divisions needs no adjustment.

**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?**

Council considers it is the best independent means of running an election for Local Government. It completely removes any hint of interference or bias in the election process by the CEO, especially in regard to the election of the Mayor. There have been cases where past events between candidates and the CEO have provided for the opportunity of claims of bias in the process by the CEO as Returning Officer.

In saying that Council recognises the CEO has the right to delegate to someone else, either internally or externally, to remove that political possibility. The task though, if handled internally does impact severely on several staff over the period of the election as a significant amount of their time is committed to the election.

The down side of QEC running the event is the cost and lack of the local touch to the process e.g. local government Returning Officers or their delegated officer are generally available to handle a raft of enquiries but this did not seem to be the case when QEC ran the 2008 election. Council members felt that access to information was not as readily available as when elections were run by Council and they reported a number of complaints from voters that there was little assistance from the Returning Officer regards the process.

Overall on an independent basis Council favours the QEC running elections but suggests ways to reduce costs should be investigated and improvements to access for the community be instigated.

**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?**

No Comment.

**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?**

Council considers the election date should remain in March. It is considered better to be elected in March, maybe struggle with the process of budgets, but at least be involved in that process. This in comparison where you are elected in September and have 9 months of a budget to live with to which you had no part at all in preparation. The learning curve for new members is always steep but having worked through that first budget can only improve your knowledge and understanding of the complexity of local government.

**10) Is the nomination process adequate? Why?**

No comment.

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

Councillors all agreed that the existing system provides for diversity of members.

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

Yes.

**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?**

Council does not agree with this as it requires a special commitment to stand for Mayor as the elected community leader. If you allow joint nomination you will attract more nominations for Mayor, dividing the vote from the serious contenders and giving a security blanket to those not prepared to nominate for that one important position.

**15) Should the new Act allow mayors to be appointed by their fellow councillors?**

No – Compared to the New South Wales system where the Mayor's position is up for selection by Councillors each year, the Queensland system provides consistency both for the role, the Council, the administration and the community.

**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?**

No comment.

**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?**

No comment.

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

Council believes voting should be compulsory.

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

Yes as an option for each Council as it does have cost and efficiency benefits.

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

Council does not believe it should be automatic as it would be difficult to set criteria but the current system works well where application is made to the Electoral Commission and if approved remains that way until further application is made.

- 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?**

No comment.

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

Administratively it would be a nightmare with 77 local authorities, many with divisions, so the amount of paperwork (electoral rolls and ballot papers) would be huge.

Council does not agree that absentee voting should be allowed for local government elections.

- 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, it is not a feudal system, it should be by the electors living in the area.

- 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, they choose where they live and work and should not have the right to votes in both areas.

- 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, it is not a feudal system, it should be by the electors living in the area each having one vote.

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

It should not be required.

- 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?**

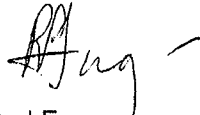
- 38) Should Proportional Representation be introduced for Queensland local government elections? If so, why and**

- (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?**

Council believes the current system is suitable noting the vast differences in local authority areas where one system would not suit all.

The Mayor and members appreciated the opportunity to review this very important matter for local government and the Mayor would be prepared to offer further comment if required,

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rod Ferguson', with a horizontal line extending to the right.

Rod Ferguson  
**Chief Executive Officer**