

**Submission 121**

**From:** webmaster@parliament.qld.gov.au  
**Sent:** Thursday, 12 August 2010 10:20 AM  
**To:** Law, Justice and Safety Committee  
**Subject:** ONLINE SUBMISSION - Inquiry into a new Local Government Electoral Act  
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**Divisions (Question 1 to 5):**

- 1) No - they are a compromise that does not achieve the best of either local representation or a true reflection of the electorate overall.
- 2) No. A sub regional division with multiple members would be more representative - so where there are say 12 councilors, there could be 4 sub-regions which would elect 3 councilors on a proportional basis. This can achieve the best balance between local member representation and voter intention. This principle could equally be applied to undivided regional councils with a smaller number of sub-regions & elected councilors. It can be used with a degree of flexibility.
- 3) generally - yes.
- 4) NO. As indicated in point 2 a system of sub regional divisions could be flexibly applied across all councils - but of course that could be a sub region of 1 - where appropriate. Applied in this manner - it means the underlying system remains consistent and the number of sub-divisions and councillors reflect the total population in the councils area.
- 5) The Department should take an active role in supervision of the appointment of CEO's to ensure proper administration of councils business. There should be oversight of the remuneration to ensure that it is appropriate and reasonable. The Department should make public the remuneration of all CEO's as is required for public companies - and preferably show a comparison with similar CEO's around Australia - that way - ratepayers can make an informed judgment about the value for money they are getting from their local government management.

**Conduct of elections (Question 6 and 7):**

- 6) Yes it would be preferable that ECQ administer the election process - this should assure consistent process and avoid claims of improper process.
- 7)

**Conduct of elections (Question 8 and 9):**

8) Yes

9) None

**Candidates - requirements and conduct (Questions 10 to 15):**

- 10) YES
- 11) It appears to
- 12) YES
- 13) No
- 14) Yes - if it is multi member and if winning the Mayoralty, then his votes as councilor would be redistributed. The person could NOT cast two votes as councilor and Mayor.
- 15) Only in the event of the incumbent being removed by death or conduct issues.

**Candidates - requirements and conduct (Questions 16 to 19):****16) YES**

**17)** Progressively on an internet site within a reasonable period from receipt - say 48 hours? after receipt. Today - there is little reason for delay. If a donation is later returned - that can be similarly posted.

**18)** Preferably - to avoid confusion and excuses.

**19)****Candidates - requirements and conduct (Questions 20 to 24):**

**20)** Preferably as there is supposed to be a pause in campaigning before the vote. Promotion is marketing and marketing is campaigning - which is not supposed to be taking place.

**21)** If they are paid for by government then - yes. These cards are suppose to advise and inform not to market or campaign or have we blurred the lines to the point where we are incapable of distinguishing between informing and marketing?

**22)** Does it represent Campaigning, rather than Party or Candidate identification? If so then it should be prohibited. Marketing is campaigning - if it is not then why would it be done? If marketing is accepted then why not free give away's - where do we cross the line to vote buying? That we are constantly being marketed to - by advertisers is no reason to surrender reason and logic.

**23)** Preferably - but I suspect that it will vary between the populous SE and the interior as a function of population and necessity - so there should be some flexibility.

**24)** YES - the public need some time for reflection. Marketing up to the last minute is a matter of money and is designed to block out that reflection and create a "need" or insist on a specific candidate - this perverts the decision making process and should be resisted. This undermines democracy, it does not enhance it and merely advantages those most able to afford the last minute blitz.

**Voting (Question 25):**

**25)** Yes, it goes with responsible citizenship. We see 30% voter turnout in the US on occasion - surely a travesty of democracy. It goes with citizenship - if people do not want to vote - then they should be prepared to surrender their citizenship and simply become residents.

**Voting (Questions 26 to 30):****26) yes****27)****28) No**

**29)** Some no doubt - abolition would complicate the voting process and delay the final count - it really is a balance of cost and convenience, unless we go to some form of verifiable online voting? It should be a matter of cost benefit - instinctively - most electors would be in or near their electorate on the day - unless they were away for a weekend - in which case absentee voting makes sense?

**30)** Yes - preferably it should be allowed. It would have to cover out of LGA - say people from Brisbane going to a weekender in the Gold or Sunshine Coast. Some form of electronic voting would assist this process, so long as it is secure and uses Australian controlled open source software and not us proprietary software that you have no control over.

**Voting (Questions 31 to 35):****31) No**

**32)** No - These are NON - Persons and business entities should NOT be given the recognition of legal persons. Yes businesses do have legitimate interests but voting is not one of them. There is enough capacity to influence and control after the event.

**33)** No - That is very 18th century If you want to do that then you logically should abolish the right to vote of non- property owning residents?

**34)** No - That would destroy the one man one vote principle - I suspect that would be unconstitutional.

**35) Local Government Department - if such was necessary**

**Voting systems (Questions 36 to 38):**

**36)** Proportional Representation with compulsory preferential voting - for multi member electorates - the only way to get "representative" councils.

**37)** A flexible multi-member divisional system - based on total council population - should be capable of being applied to all councils. Preferably there should be three councilors elected proportional per division, but in the smallest population councils out west, this may mean a single division with 4 councilors, or possibly two divisions with two councilors. In more populous areas the aim would be for three or more divisions with three councilors elected proportionally for each division. I am sure the QEC could arrive at a suitable balance for each council and adjust this as population growth requires.

**38)** Yes it should. Why? Because, properly designed, it has the best probability of properly reflecting the range of opinion within the community - surely, that is what Representative government at all levels should seek to achieve. (a) A multimember - sub-divisional system is preferred as set out in Q37 - this seeks to balance the competing needs of local representation with an appropriate reflection of the population. Citizens do expect to have some connection with their local representatives, particularly at council level and even the single representative in the enlarged councils cannot fully reflect their division. Potentially a slightly larger area with three representatives, allows for better division of labour, with councilors more reflective of the range of community opinion. No system is perfect and this limits representation to the three major blocks of voters, but would be a move in the direction of a more representative council while maintaining a reasonable local contact. As shown on Q37 - this can be implemented in both divided and undivided councils with a minimal change in the overall rules. Yes - it should apply to all councils. Maybe then - like NZ - it will catch on at other levels of government. Certainly the Sunshine Coast as one council with three Federal Members would have a representation that was more reflective of the voters intention if this was a single multi-member Federal Division

**Other (Question 39):**

**Other**