

Submission 122

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Sent: Thursday, 12 August 2010 2:23 PM
To: Law, Justice and Safety Committee
Subject: SUBMISSION TO LAW JUSTICE AND SAFETY COMMITTEE ATTACHED

Attachments: ACT.doc

The Research Director
LJ&S Committee
Via Email.

Dear Sir/Madam

Please find attached my submission to the review of the Local Government Electoral System.

kind regards

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Councillor Division 1

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1. ARE THE PROCEDURES FOR THE DIVISION OF COUNCIL'S ADEQUATE
 - A. Yes. Apart from single member divided or multiple member undivided Councils, there are few other options available and experimentation such as multi member divisions has proved unsatisfactory in the past.
2. IF THE PROCEDURES FOR THE DIVISION OF COUNCILS ARE NOT ADEQUATE, WHAT CHANGES ARE REQUIRED.
 - A. Not applicable.
3. ARE THE ERROR MARGINS OF 10% IN LOCAL GOVERNMENT AREAS WITH MORE THAN 10,000 ELECTORS AND 20% OF ALL OTHER CASES SUFFICIENT?
 - A. With computerised electoral rolls, the margins of 10% and 20% are more than sufficient and for high density local government areas, perhaps it should be reduced to say 5% because the 10% margin either way in those cases can lead to significant anomalies.
4. SHOULD THE MIX OF DIVIDED AND UNDIVIDED COUNCILS REMAIN? IF SO, SHOULD BE DECISION TO DIVIDE A LOCAL GONVERMENT AREA REMAIN WITH INDIVIDUAL COUNCILS.
 - A. Undivided councils would appear to be appropriate for large geographical areas and/or small numbers of electors. For the sake of uniformity, perhaps the Councils under the arbitrary 10,000 electors should be undivided and councils over 10,000 electors divided.
5. ARE THERE ANY OTHER MATTERS THE COMMITTEE SHOULD CONSIDER IN REGARD TO LOCAL GOVERNMENT DIVISIONS?
 - A. Perhaps a reduction in the margin as with a margin of 10% either way (i.e. 20%) and in some cases, the work load for some divisional representatives is excessive and the reduction of the margin to 5% (i.e. 10%) will address this issue to some extent.
6. SHOULD THE ELECTROAL COMMISSION OF QUEENSLAND BE RESPONSIBLE FOR THE ADMINISTRATION OF THE QUADRENNIAL LOCAL GOVERNMENT ELECTIONS OR SHOULD THE RESPONSIBILITYR EMAIN WITH COUNCIL CEOS?
 - A. For the sake of uniformity and conformity, the ECQ as an independent body should be responsible for the administration of local government elections.
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? IF SO, HOW?
 - A. The conduct of local government elections should be kept at the highest possible standard and this probably requires a prescriptive approach.
8. IS THE TIME FOR THE CLOSE OF THE ROLLS AND THE DATE OF ELECTIONS APPROPRIATE?

- A. Again with computerisation, there is no reason why the close of the rolls should be decreased to, say, 1 month before the election. This would allow unenrolled voters the maximum opportunity to enrol. There is a thought that October would be a better time given that new Councils move straight into budget discussions after March. I have no strong opinion either way.
9. WHAT CHANGES IF ANY SHOULD BE MADE TO THE TIMING OF LOCAL GOVERNMENT ELECTIONS.
- A. None or October.
10. IS THE NOMINATION PROCESS ADEQUATE? WHY?
- A. The nomination process is very basic but any increase in requirements, e.g. a minimum education standard, could lead to discrimination or disenfranchisement.
11. DOES THE CURRENT SYSTEM ENCOURAGE A DIVERSE RANGE OF CANDIDATES TO STAND?
- A. It certainly does as can be seen from the number of candidates of all sexes and ethnic backgrounds as well as, for example, candidates supporting single issue causes such as the environment.
12. SHOULD CANDIDATE BE REQUIRED TO LIVE IN THE LOCAL GOVERNMENT AREA IN WHICH THEY STAND FOR ELECTION?
- A. As local government is said to be closest to the electorate, there should be some substantial connection between the candidate and area.
13. SHOULD A COUNCILLOR BE REQUIRED TO LIVE IN THE LOCAL AREA FOR THE WHOLE OF THE FOUR YEAR TERM?
- A. If elected, a councillor should make a commitment to become a part of the community they represent during their term in office. For example, I cannot envisage a situation where a councillor after election could move out of the area, interstate or even overseas without their right to remain in office.
14. SHOULD A PERSON BE ABLE TO STAND S A DUAL CANDIDATE FOR BOTH MAYOR AND COUNCILLOR?
- A. In a city as large as Gold Coast, it would be difficult for a representative to be Mayor and also manage a division - unless one of the smaller less active divisions of the city.
15. SHOULD THE NEW ACT ALLOW MAYORS TO BE APPOINTED BY THEIR FELLOW COUNCILLORS?
- A. Yes – but again, uncertain of how this can be achieved. Perhaps where dual candidates for mayoralty and divisional representation, the second place getter in the divisional stakes could become the divisional representative, but I'm uncertain of the legality of such an outcome.

16. ARE THE REQUIREMENTS FOR DISCLOSURE OF CAMPAIGN FUNDING SUFFICIENT?
- A. The current requirements are too onerous on both the candidate and the donor. As for the State and Federal elections there should be public funding of local government election campaigns and the rules for disclosure with appropriate adjustments to monetary levels, should be the same in all 3 levels of government.
17. SHOULD CANDIDATES MAKE DISCLOSURES BEFORE, PROGRESSIVELY DURING, AND AFTER AN ELECTION PERIOD?
- A. The existing regime of disclosure after the election to prevent future conflicts of interest by successful candidates appears to be adequate.
18. SHOULD ALL DISCLOSURE REQUIREMENTS SUCH AS VALUES, DISCLOSURE PERIODS AND WHO MUST COMPLY BE STANDARDISED?
- A. Yes
19. SHOULD PARTICULAR FUNDRAISING ACTIVITIES FOR LOCAL GOVERNMENT ELECTIONS BE PROHIBITED?
- A. No, unless they are unlawful or deceptive.
20. SHOULD HOW TO VOTE CARDS BE FREE FROM PROMOTIONAL MATERIAL?
- A. No, like other advertising materials they are meant to promote the difference between individual candidates.
21. SHOULD HOW TO VOTE CARDS BE STANDARDISED FOR ALL CANDIDATES? IF SO, SHOULD THESE BE PROVIDED IN ALL POLLING BOOTHS AND POSTAL VOTE PACKS BY THE ELECTORAL COMMISSION OF QUEENSLAND?
- A. No, standard how to vote cards means the elector must be aware of the nature and policies of the candidate before they get to the polling booth which does not appear to be the case for many people. Postal vote packs should contain the individual candidate's how to vote card for the same reason.
22. WHAT PROMOTIONAL MATERIAL, SUCH A BUNTING (CONTINUOUS SIGNAGE) AND CORFLUTES SHOULD BE ALLOWED DURING THE CAMPAIGN PERIOD AND AT POLLING BOOTHS ON ELECTION DAY?
- A. During the campaign period little, if any, restriction should be applied to promotional material. On election day at the polling booth, it is always first come first served, but perhaps the returning officer could be authorised to resolve disputes and adjudicate on reasonable promotional material.
23. SHOULD THE PLACEMENT AND AMOUNT OF ELECTION CAMPAIGN MATERIAL BE STANDARD ACROSS ALL LOCAL GOVERNMENT AREAS?

- A. The same rules that apply to State and Federal elections should apply to local government.
24. SHOULD A "MEDIA BLACKOUT" PERIOD APPLY FOR LOCAL GOVERNMENT ELECTIONS? WHY? FOR HOW LONG?
- A. Yes, because it tends to prevent last minute allegations/assertions remaining in the electors mind and without the time for an adequate rebuttal. A period of 2 days (including polling day) should be adequate.
25. SHOULD VOTING REMAIN COMPULSORY FOR LOCAL GOVERNMENT ELECTIONS IN QUEENSLAND?
- A. Yes
26. SHOULD THE OPTION OF A POSTAL VOTE BE EXTENDED TO ALL VOTERS IN EVERY AREA?
- A. Yes
27. SHOULD A FULL POSTAL BALLOT BE AUTOMATIC FOR SOME LOCAL GOVERNMENT AREAS? IF SO, WHY AND FOR WHICH AREAS?
- A. In local government areas with large geographic area or low elector numbers, the option of a full postal ballot should be available for logistical and economic reasons.
28. SHOULD THE CRITERIA FOR PRE-POLLING AND POSTAL VOTING BE ABOLISHED?
- A. Yes, to promote flexibility and user friendliness of a compulsory voting system.
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 MPACT WOULD THAT HAVE ON THE ADMINISTRATION OF THE ELECTIONS IN THAT LOCAL GOVERNMENT?
- A. Little if any adverse effect in terms of the result of the election but it appears to have an adverse effect on the individual voter. Perhaps at least one polling booth in each division could offer all divisions voting.
30. SHOULD THE NEW ACT ALLOW ABSENT VOTING? IF SO, SHOULD THIS BE RESTRICTED TO ABSENT VOTING WITHIN A LOCAL GOVERNMENT AREA ONLY?
- A. Yes, but absent voting for other local government areas should be restricted to say one location only.
31. SHOULD THE RIGHT TO VOTE IN QUEENSLAND LOCAL GOVERNMENT ELECTIONS BE EXTENDED TO NON-RESIDENT PROPERTY OWNERS WITHIN AREA? IF SO, SHOULD BE APPLY TO OVERSEAS INVESTORS?

- A. Yes, interests in and/or contributions to a division should be recognised with a right to vote. Overseas residents who qualify should also be able to vote.
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)?
- A. No
33. SHOULD MULTIPLE PERSONS BE ABLE TO CLAIM NON RESIDENT VOTER ELIGIBILITY FOR ONE PROPERTY (E.G. TWO OR MORE NON-RESIDENTS OWNERS OR LESSEES OF A PROPERTY)?
- A. No
34. SHOULD PEOPLE, BASED ON THE NUMBER OF PROPERTIES THEY OWN BE ENTITLED TO MORE THAN ONE VOTE PER DIVISION?
- A. No, due to the anomalies that could be created (e.g. unsold developers' stock).
35. WHO SHOULD BE RESPONSIBLE FOR THE CREATION, VERIFICATION AND MAINTENANCE OF A NON-RESIDENTS VOTING POLL?
- A. The Electoral Commission of Queensland.
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?
- A. Optional Preferential Voting because the electors are familiar with the system. It is arguably the fairest.
37. WOULD DIFFERENT VOTING SYSTEMS WORK BETTER FOR DIFFERENCE SIZED LOCAL GOVERNMENTS? WHY?
- A. No
38. SHOULD PROPORTIONAL REPRESENTATION BE INTRODUCED FOR QUEENSLAND LOCAL GOVERNMENT ELECTIONS? IF SO, WHY?
- A. No, as this system is likely to lead to instability.
39. WHAT OTHER ISSUES SHOULD THE COMMITTEE CONSIDER IN RELATION TO THIS ENQUIRY?
- A. Provision for the use of electronic voting at the polling booth.