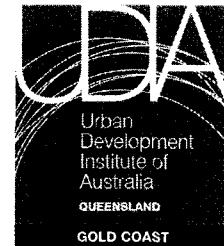
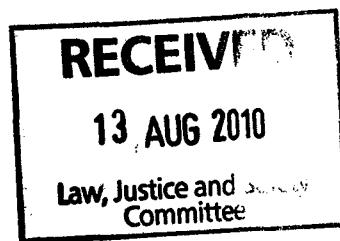


Submission 133

13 August 2010



The Research Director
Law, Justice and Safety Committee
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Dear Sir/Madam,

Re: A new local government electoral act: review of the local Government electoral system (excluding BCC)

Thank you for the opportunity to comment on the review issues paper regarding local Government electoral system under the local Government Act 1993. The Urban Development Institute of Australia (Queensland) (UDIA (Qld)) is the peak industry body representing the development industry in Queensland.

The development industry employees around 200,000 people full time directly in Queensland with further flow on employment. The industry is particularly keen to address key issues of housing affordability in Queensland and improve the operating environment to reduce the cost of producing homes and development for Queensland.

The UDIA (Qld) is interested in the issues paper to the extent that it is directly relevant to the development industry and in the holding of property as part of its development activities. Of particular interest is the issues paper and its discussion of options around the property enfranchisement issue raised by the paper. The UDIA would support the enfranchisement of non-resident property owners and businesses located in local government areas. This would allow improved representation of all interests in local government areas. The UDIA considers this relevant for a number of reasons. These include:

- providing parity with the electoral arrangements in all other states of Australia;
- to provide for the input in local areas by very committed local business and property owners into the local democratic process;
- to allow for greater input from the payers of a substantial amount of the local rate revenue that is taken from property. This accords with the long standing maximum 'no taxation without representation'. At present there are many civic minded property owners and business representatives that care deeply for their local areas in which they work and make substantial contributions to those local areas in community efforts. It seems appropriate that this commitment be better acknowledged by local government rather than leaving many important decisions to a more restricted group.

The UDIA considers the existing local government operations in Queensland to be generally very professional and orderly and worthy of support. The UDIA, however, considers change in this area can add to the quality of local government operations and is consistent with traditional electoral arrangements for local government and as indicated above common to other states of Australia. In practice limited additional votes are given in other states by additional property and commercial voters; however, this is not considered a reason to restrict the opportunity for voting. Property enfranchisement should go in hand with changes to ensure there is no penalty for non-voting, at least for this class; voluntary enrolment and some limit to the number of votes that would be enabled would also likely be acceptable.

Voting rights for property owners and commercial tenants (noting most rental properties are owned in ones and twos by typical families) will allow greater input into local affairs, allow a greater sense of belonging and may reduce the frustration that many feel as to council operations.

The UDIA Gold Coast Branch is also concerned with the efficient operation of Councils and the ability to have clear direction, decision making and strong elected bodies that give voice to the will of the stakeholders within a local authority boundary as such make some further comment on the voting provisions raised in the issues paper. With regards to a proposal for the implementation of proportional voting particularly in major Cities with such diverse structure as Gold Coast City, we believe that this would be an error taking away from clear majority rules. It could create an unworkable situation whereby single issue minority groups may be able to gain a balance of power position rendering ineffective long term decision making and changing focus to short term expediency rather than the strategic betterment of a City.

We also consider that the internal election of a Mayor rather than the current whole of City vote could cause Mayors to simply pander to factions within any Council to maintain their position, to the detriment of orderly governance and longer term thinking. We have had first-hand experience with the Tweed Shire Council and of the disruptions this has caused in recent times with Councillors agreeing to take "turns" at being Mayor. If a Mayor is to represent the whole of the City, the people of that local authority area should choose their representative.

Finally we recommend against the removal of Divisions as this should be left to individual local authorities and their residents as is the case within the current Act. Portions of a diverse city such as the Gold Coast would be hard pressed to produce enough votes to have an area such as the rural and agricultural areas adequately represented. These areas make up 70% of the current Gold Coast City but a very small portion of the population. The result of mandatory removal of divisions could simply require a candidate to concentrate campaigning on a single issue group or area such as between Paradise Point and Broadbeach to ensure election with perhaps a skewing of Council action to single issues or areas rather than governance for the broader community interest. Further, mandatory removal of divisions could make the cost of campaigning within a City the size and complexity of Gold Coast cost prohibitive to the general public which we believe does not accord with the basic intent of universal suffrage.

We consider some recent amendments to the Local Government Act have to some degree weakened the existing local government model with provisions that have further isolated elected representatives from their community. We would urge you not to introduce further amendments that exacerbate this matter but rather ensure a broader enfranchisement.

Thank you for the opportunity to provide comment on this issue and the UDIA hopes that its comments on this limited area of the review will be accepted.

Yours sincerely,
Urban Development Institute of Australia



Stephen Harrison
President Gold Coast Branch