



# ELECTORAL AND ADMINISTRATIVE REVIEW COMMISSION

REPORT  
ON

## THE LOCAL AUTHORITY ELECTORAL SYSTEM OF QUEENSLAND

SEPTEMBER 1990

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# CHAPTER 1

## INTRODUCTION

### Background

- 1.1 The function of the Electoral and Administrative Review Commission (EARC) is to investigate and report to:
- (a) the Chairman of the Parliamentary Committee for Electoral and Administrative Review;
  - (b) the Speaker of the Legislative Assembly; and
  - (c) the Premier

on a wide range of matters relating to public administration in Queensland in order to identify and recommend proper procedures and principles to apply in Queensland public institutions to ensure they are accountable, democratic and serve the public effectively.

- 1.2 The Electoral and Administrative Review Act 1989-90 (the EARC Act) which established EARC, states in Section 2.10 (1)(b) that the functions of EARC are, in part, to investigate and report from time to time in relation to:

- (i) *the whole or part of the Local Authority electoral system; or*
- (ii) *the whole or part of the Local Authority administration;*"

Section 2.10(4) of the Act provides, in part, "...{the Commission} shall not exercise any {compulsive} powers ... for the purpose of an investigation under subsection 1(b)...unless the Commission is authorised by the Legislative Assembly or the Governor in Council to undertake the investigation..."

### Terms of Reference

- 1.3 On 29 March 1990 the Legislative Assembly passed the following resolution:

*"That this Legislative Assembly ... authorises the Electoral and Administrative Review Commission to undertake investigations ... into -*

- (a) *the whole of the Local Authority electoral system of Queensland and, in particular, whether such Local Authority electoral system provides for fair and equitable representation for all electors of Queensland and, if not, what Local Authority electoral system should be introduced to achieve such representation;*
- (b) *that part of Local Authority administration as relates to the factors affecting the determination of the areas of Local Authorities and, in particular, whether the existing boundaries of the areas of Local Authorities are the most appropriate having regard to fair and equitable representation for all electors and the proper, economically viable and efficient discharge of the responsibilities of each Local Authority and, if not, what changes (including amalgamation) are necessary or desirable in order to achieve such fair and equitable representation for all electors and the proper, economically viable and efficient discharge of the responsibilities of each Local Authority;*

*and further requests that reports of such investigations be submitted to this Assembly, so far as is possible, by -*

- (i) August 17, 1990 in relation to the matters in paragraph (a);*
- (ii) July 1, 1991 in relation to the matters in paragraph (b)."*

1.4 On 30 March 1990, the Speaker advised the Chairman of EARC, by letter, of the terms of the Legislative Assembly resolution. The letter from the Speaker attaching the terms of the Resolution is at Appendix A. On 6 August 1990 the Chairman advised the Speaker that the Commission would be unable to furnish its report in relation to the matters in paragraph (a) by 17 August 1990 but expected to furnish its report on 10 September. The letter communicating this advice is at Appendix B.

### **Local Authority Review Stages 1 & 2**

- 1.5 This Report addresses only those matters raised in paragraph (a) of the Legislative Assembly resolution.
- 1.6 Later this year and in 1991, EARC will investigate those matters referred to it in paragraph (b) of the Legislative Assembly resolution. In particular, the review will address external boundaries and the economic viability and efficiency of Local Authorities. An issues paper on these matters will be released shortly. Public input will be invited through submissions and public hearings and a report will be furnished to the Chairman of the Parliamentary Committee, the Speaker and the Premier in mid 1991. Additional issues papers may be released in the course of the Stage 2 review.

### **Fair and Equitable Representation**

- 1.7 In Issues Paper No.1 (Legislative Assembly electoral review) at paragraph 4.2 EARC set out a number of principles of a fair and equitable electoral system. The principles which had been identified in the Report of the New Zealand Royal Commission on the Electoral System "Towards a Better Democracy" (December 1986) were:
- a. **Fairness.** The principle of fairness requires that the number of seats gained by a political party should be proportional to the number of votes received.
  - b. **Minority Interests.** Membership of an elected legislative assembly should be representative of the structure of the electorate in terms of gender, ethnicity, age, locality and socio-economic class.
  - c. **Integration.** The voting system should represent the opinions of all groups and individuals while taking into account the community's interests as a whole.

- d. Accessibility and Accountability. The voting system should encourage close links between constituents and elected representatives who advocate on their behalf in dealings with Government agencies.
- e. Voter Participation. In a democracy a voting system should encourage citizens to have a voice in how they are governed. Each voter should be able to be confident that their vote has an equal or acceptable weight when compared to other voters' ballots.
- f. Stability of Government. The voting system should allow for stable government during periods in office and for smooth transitions between governments.
- g. Effective Parliament. Members of legislative assemblies have many parliamentary functions including enacting legislation, monitoring the effectiveness of existing legislation, expenditure of public money, scrutinising executive decisions and providing a focus for individual and group interests. Voting systems should result in the election of assemblies which can carry out these duties effectively.
- h. Effective Parties. Political parties are essential in representative democracies. The voting system must recognise and support their role.
- i. Legitimacy. The voting system must have the confidence and support of the community at large. It should be publicly recognised as fair and equitable and produce election results which are accepted by the community as representative of its collective intentions.
- j. Speed. Results of elections should be available as soon as possible after a poll.
- k. Simplicity. The voting system should be readily understood by voters.
- l. Responsive. The voting system should be responsive to shifts in size and location of voter populations.

Although certain of these principles require modification in relation to Local Government (for example, principles (a), (g) and (h)) the Commission considers that any electoral system for Local Government in Queensland should accommodate these features, as far as practicable.

### **Terminology**

- 1.8 In this report the expression "Local Authority" (LA) is used to describe Local Authorities as institutions, whether they are Cities, Towns or Shires. The expression "Local Government Area" (LGA) is used where the emphasis is on the area of jurisdiction rather than the institution itself. The term "Council" is used to refer to the elected body of members.

- 1.9 References to numbered submissions in this Report will be in brackets preceded by the letter S. For example a reference to submission No.280 will be "(S280)". References to public hearing transcript pages are similarly abbreviated, for example, a reference to page 280 of that transcript will be "(T280)". Exhibits - documents furnished at the public hearings - are referred to by their number with the prefix "L". For example, exhibit 20 is referred to as "L20".

## CHAPTER TWO

### THE REVIEW PROCESS

#### Principles Governing the Review Process

2.1 The process followed in the course of this review was developed in compliance with EARC's statutory responsibilities, particularly those set out in Section 2.23 of the EARC Act, which provides:

- "2.23 (1) *The Commission is not bound by rules or the practice of any court or tribunal as to evidence or procedure in the discharge of its functions or exercise of its powers, but may inform itself on any matter and conduct its proceedings in such manner as it thinks proper.*
- (2) *The Commission -*
- (a) *shall act independently, impartially, fairly, and in the public interest;*
  - (b) *shall make available to the public all submissions, objections and suggestions made to it in the course of its discharging its functions, and otherwise act openly, if to do so would be in the public interest and fair;*
  - (c) *shall not make available to the public, or disclose to any person, information or material in its possession, if to do so would be contrary to the public interest or unfair;*
  - (d) *shall include in its reports -*
    - (i) *its recommendations with respect to the relevant subject-matter;*
    - (ii) *an objective summary and comment with respect to all considerations of which it is aware that support or oppose or are otherwise pertinent to its recommendations."*

2.2 In April 1990 the Commission published an issues paper on the Queensland Local Authority electoral system (Issues Paper No.2). The Commission, at the same time, called for public submissions on those matters raised in the Issues Paper. The response from LAs, interested organisations and members of the public was very encouraging. By the completion of the review process the Commission had received a total of 409 submissions and comments. Submissions or comments came from all but 14 of the LAs in Queensland.

#### The Issues

2.3 Issues Paper No.2 identified a number of issues. These became the subject of comment by persons and organisations making submissions and giving evidence in the course of public hearings. Those issues were:

(a) Qualification to Vote

Should the system whereby only residents in an LGA are eligible to vote for its Council be changed?

(b) Voting System

Should there be a uniform voting system for all LAs? What are the arguments for and against having more than one voting system in Queensland LAs?

(c) One Vote, One Value

Should all votes within any one LGA have equal value? What are the arguments for and against equal numbers of electors across divisions?

(d) Divisional Arrangements

Should all LAs operate under a standard divisional system? Should all divisions have equal numbers of elected members? What are the arguments for different divisional structures among LAs?

(e) Method of Changing Divisional Boundaries

Should the current system for changing divisional boundaries be altered? If so, in what respects?

(f) Compulsory Voting

Should voting in LA elections be compulsory?

(g) Election of Mayor/Chairman

Should the Mayor/Chairman of a Council be elected directly or by members of the Council? If the latter, should members also have the power to remove the Mayor/Chairman from time to time and to appoint another?

(h) Method of Filling Council Vacancies

Should vacant places on Councils, including that of Mayor/Chairman, be filled by election or by appointment?

(i) Timing of Elections

Should LA elections continue to be triennial?

(j) Voters' Rolls

Should rolls be closed on 31 December prior to each periodic election? If not, when?

(k) Size of Council Membership

Should the number of Aldermen/Councillors vary between Town/City Councils and Shire Councils? What restrictions, if any, should be placed on the size of Council membership?

(l) Current Limitations on Candidature

Should there be any restrictions on candidature for LA elections, for example, restrictions on candidature of employees of an LA, State Parliamentarians or Federal Parliamentarians? Should persons be able to simultaneously contest elections for Mayor/Chairman and ordinary member?

(m) Role of Town/Shire Clerks as Returning Officers

Should Town and Shire Clerks be relieved of the responsibility for running LA elections? If so, where should the responsibility be assigned?

(n) Powers of the State Government

Should the powers of the State Government in relation to a wide range of electoral matters including drawing electoral boundaries be subject to additional constraints, or assigned (in whole or part) to some other independent body? If so, what specific changes should be made?

(o) Implementation of Changes to the Electoral System

Should there be a staged implementation of changes to electoral arrangements, having regard to the forthcoming external boundaries review? If so, what type of changes should be made at once, and what should be held over until completion of the external boundaries review?

(p) Additional Issues

In Issues Paper No.2 persons were invited to raise any further issues which they considered relevant to a review of the Local Authority electoral system.

The Local Government Association of Queensland (LGAQ) raised a number of additional issues in its submission (S191), namely:

- (i) whether the penalty for not voting should be increased from \$10 to \$50;
- (ii) whether a draw should be introduced for positions on the ballot paper;
- (iii) whether alternatives should be adopted to acquaint voters with the names and policies of candidates so as to eliminate how to vote cards;
- (iv) whether there should be greater consistency between State and Local Government electoral procedures;

- (v) whether electoral provisions should be amended to enable the removal of a candidate's name if, after nomination, the candidate has died or has withdrawn their nomination;
- (vi) whether any question of a candidate's qualification should be resolved by an appropriate court;
- (vii) whether the residential qualification for voting should be reduced from three months to one month; and
- (viii) whether electoral visitor provisions applicable to Brisbane City Council elections should apply to all LA elections.

Further issues were raised in other submissions, namely:

- (ix) whether Councillors and Aldermen should have "parliamentary privilege" during Council meetings (Charters Towers, T270; Chinchilla S206; Eacham, T387; Longreach, S225; Isisford S164);
- (x) matters raised in relation to Aboriginals and Torres Strait Islanders; and
- (xi) whether there should be a condition that prior to becoming eligible to be a candidate all monies owing to an LA should be paid in full (Isisford, S164).

#### **Submissions & Comments in Response**

- 2.4 By 18 May 1990, the closing date for initial submissions, 286 LAs, individuals and organizations had sent submissions to EARC.
- 2.5 These submissions were printed and made available for public inspection at Public Libraries and Court Houses throughout Queensland from 28 May 1990. Approximately 800 copies of the initial submissions, published in four volumes, were circulated.
- 2.6 Comments in response to initial submissions were formally accepted up to 25 June 1990; however, submissions and comments received since then have also been considered by the Commission. Prior to the completion of this report, 409 submissions and comments in response had been received. Of these 146 had been submitted by LAs, 83 by other organisations and 180 by individuals. A list of all organisations and individuals who made submissions or comments is at Appendix C.

## Public Hearings

- 2.7 Public hearings were held in metropolitan and regional centres throughout the State in June and July, 1990. Witnesses were invited to present additional information to the Commission at public hearings. The witnesses who presented evidence at the hearings, the dates and locations of hearings, and the list of exhibits are set out in Appendix D. Not all persons who made submissions to the Commission gave evidence at public hearings. The Commission had been requested to report by 17 August and was accordingly operating under time constraints. In choosing persons and organisations to give evidence at the public hearings the Commission was concerned to ensure that a wide range of opinion was effectively represented before the Commission.
- 2.8 The Commission endeavoured to make its hearings as informal as possible. Witnesses were neither subpoenaed nor sworn. Very few of those invited to attend to give evidence declined to do so. A transcript was made of the evidence at the public hearings. Copies of the transcript, exhibits and submissions and comments are available for public inspection at the Commission's office in Brisbane.

## Other Inquiry Mechanisms

- 2.9 The Commission staff have made use of literature relating to Local Government electoral matters and have made enquiries in other States of the Commonwealth regarding Local Government electoral systems operating in those States.

## Structure and Content of Report

- 2.10 After a brief outline of the current Queensland Local Authority electoral system in Chapter 3, chapters 4-18 of this report deal with each issue identified in paragraph 2.3 above. For each issue identified, the relevant Chapter:
- (a) describes the current situation;
  - (b) summarises the relevant matters for consideration;
  - (c) summarises the arguments and other evidence presented;
  - (d) analyses the arguments and evidence; and
  - (e) gives conclusions and recommendations.

Chapter 19 deals with Aboriginal and Torres Strait Islander Issues. Chapter 20 consolidates the conclusions and recommendations as well as proposing an implementation timetable. Chapter 21 contains acknowledgements and concluding remarks.

- 2.11 As already indicated, EARC received submissions and heard evidence from a large number of persons and organisations. Under Section 2.23 of the Act the Commission is required to include in its reports:

*"An objective summary and comment with respect to all considerations of which it is aware that support or oppose or are otherwise pertinent to its recommendations."*

In selecting evidence for this Report the Commission has referred to statements which were typical of a particular argument or point of view. The Commission has not attempted to set out or refer to all evidence in support of that argument or point of view. If the Commission had done so the result would be a report of intolerable length. The Commission considers it has discharged its responsibilities under Section 2.23 because it has endeavoured to identify and deal with all relevant considerations.

## CHAPTER THREE

### QUEENSLAND LOCAL AUTHORITY ELECTORAL SYSTEM

#### General Features of the System

- 3.1 In general, electors in Queensland Local Government elections must be Australian citizens, aged 18 years and over, resident in the LGA and enrolled on the State roll on 31 December immediately preceding the election. Voting is compulsory, and no elector may cast more than one vote. Unlike other States, there is no property franchise. Elections are held for all Councils on the same day every three years on the last Saturday in March, except where this falls at Easter, in which case the date becomes the first Saturday in April. The next elections are due on 6 April 1991.
- 3.2 Elections are mostly conducted on a first past the post system. The Governor in Council may however order that preferential voting be used in specified LAs, provided that the LA concerned is divided into single-member divisions. Appendix E summarises the voting system for each LA.
- 3.3 One hundred and two LAs are divided into electoral divisions, and a further 8 are divided for electoral as well as financial purposes. At present some 24 LAs (including Cities and Towns) are undivided.
- 3.4 All the electors of an LA vote at large to elect their Mayor or Chairman. In undivided LAs electors vote at large for the required number of ordinary members of Council. In divided LAs, however, electors vote only for the number of members assigned to the division in which the elector resides.
- 3.5 When a vacancy occurs for the office of Mayor of a City or Town within two years after the triennial elections, an election is held. When any other vacancy occurs between elections the LA must fill it by appointment within two weeks (Cities and Towns) or one month (Shires). The Governor in Council may do this if an LA does not.
- 3.6 The triennial election in each LA involves two separate elections - one for election of Mayor (for Cities or Towns), or Chairman (for Shires), the other for election of ordinary members of Council. Candidates for election may take part in only one of these contests.
- 3.7 City and Town Councils in Queensland consist of between 7 and 11 Aldermen, including the Mayor. (The exception is the Brisbane City Council, which has 27 Aldermen, including the Lord Mayor.) Shire Councils comprise between 5 and 13 Councillors including the Shire Chairman. (Members of City and Town Councils, including the Mayor, are called Aldermen and members of Shire Councils including the Chairman, are called Councillors.)

- 3.8 Any resident in an LGA may be a candidate at the elections provided they are:
- (a) qualified for enrolment on the voters' roll;
  - (b) not an employee of any LA (except Brisbane);
  - (c) not insolvent or an undischarged bankrupt;
  - (d) not insane; and
  - (e) not serving a prison sentence.

State Parliamentarians may not be candidates for the City of Brisbane. Brisbane City Council employees may be candidates but they must resign their employment upon election. Employees cannot stand for election in any LA, other than Brisbane. Brisbane has a further restriction, namely, that persons who are concerned or participate in the profit of certain contracts with the Council are also disqualified from candidature.

#### **Administration of Local Government Elections**

- 3.9 Brisbane City Council elections are covered by the The City of Brisbane Act 1924-90 and The Elections Act 1983-89. The framework for administering all other Local Government elections is set out in sections 7, 8, 8A and 9 of the Local Government Act 1936-90. Detailed "Rules for the Conduct of Elections" are contained in the Third Schedule to the Act and these regulate the relevant procedures. Local Government Elections Regulations supplement the Rules and set out the forms which relate to them.
- 3.10 Rule 2 designates Town and Shire Clerks as Returning Officers by virtue of their office. Returning Officers bear ultimate responsibility for the conduct of elections for their LA, although their decisions and actions are subject to possible judicial scrutiny, e.g. by prerogative writ, or upon application for "ouster" (Section 9). Expenses incurred by a Returning Officer are a charge against each LA's general fund.
- 3.11 A Returning Officer's duties include preparing the voters' roll for the LA (if undivided) or otherwise for each division, in accordance with the instructions in the Local Government Act. In triennial elections, the basis for the voters' roll is the roll for the relevant State electoral district(s) as compiled up to the immediately preceding 31 December. In Brisbane the rolls are prepared by the Principal Electoral Officer.

#### **Current Local Authority Electoral Structure**

- 3.12 Currently, there are 134 LAs in Queensland, comprising 20 Cities, 3 Towns and 111 Shires. These LAs are constituted under the City of Brisbane Act 1924-90 (Brisbane City), the Local Government (Aboriginal Lands) Act 1978 (Aurukun and Mornington Shires) and the Local Government Act 1936-90 (the balance of Cities, Towns and Shires).

- 3.13 Twenty-four LAs are undivided for electoral purposes; 13 of these are Shires, and 8 are Cities. All 3 Towns (Goondiwindi, Roma and Dalby) are undivided.
- 3.14 Thirteen Councils, comprising 9 Cities and 4 Shires, are divided into single member divisions.
- 3.15 Seventy-four Shires and the remaining 3 Cities are divided into multi-member divisions, while 20 Shires have a mixture of single- and multi-member divisions.
- 3.16 The Local Government Department has recently received at least 17 requests from LAs and other parties for divisional boundary alteration.

#### **Aboriginal and Torres Strait Islander Councils**

- 3.17 In addition to the 134 LAs discussed above, there are 14 Aboriginal Councils and 17 Torres Strait Islander Councils in Queensland. These Councils are constituted under the Community Services (Aborigines) Act 1984, and the Community Services (Torres Strait) Act 1984 respectively. These Acts provide for support, administrative services and assistance for Aboriginal/Torres Strait communities existing in trust areas and for management of lands for use by those communities and for related purposes. The Commission takes the view that these particular Councils are bodies responsible for Local Government within a part of the State for the purposes of the definition of "Local Authority" in Section 1.3 of the EARC Act. Accordingly, these Councils fall within the terms of reference of this review.
- 3.18 Aboriginal and Torres Strait Islander (ATSI) Councils operate differently from LAs as defined in the Local Government Act 1936-90. All ATSI Councils are undivided. Whilst they possess quasi police powers to regulate community behaviour, in conventional municipal terms they operate at a more reduced level of responsibility and independence than mainstream LAs and they lack many of the mainstream powers, eg. fiscal autonomy, town planning and development controls.
- 3.19 Every member of these Councils holds office for three years; and elections are held on the same date as elections for LAs pursuant to the Local Government Act 1936-1990. However, Chairmen of these Councils are elected by members of Council, not by popular election as is the case with all other LAs.
- 3.20 A person whose name is on a voters' roll for an ATSI Council election is not entitled to a vote at an election in the surrounding LGA.

#### **Aurukun and Mornington Shires**

- 3.21 In addition to the 31 ATSI Councils, two LAs (namely the Shire of Aurukun and the Shire of Mornington) function under the Local Government (Aboriginal Lands) Act 1978. These Shires are deemed to be Local Authorities under the Local Government Act 1936-90 and are generally regarded as ranking with the LAs in the mainstream system. The above quoted total number of mainstream LAs in Queensland (ie, 134) includes these two Councils.

**Town of Weipa**

- 3.22 For reasons similar to those outlined in relation to ATSI Councils, the township of Weipa (administered by Comalco under the Commonwealth Aluminium Corporation Pty. Limited Agreement Act 1957) is within the terms of reference of this review.
- 3.23 Under the Commonwealth Aluminium Corporation Pty. Limited Agreement Act 1957, Comalco is deemed to be a Local Authority for the purpose of the administration of the town of Weipa. Section 46 of that Act makes provision for the transfer of powers to a Town Commission, a composite body representing the State, the company and the electors. Comalco has commissioned a study to examine the question of town management including options for surrender of municipal powers.
- 3.24 Pending the outcome of the Company's study, the Commission intends to defer consideration of any matter relevant to Weipa.

## CHAPTER FOUR

### QUALIFICATION TO VOTE

#### Current Situation

- 4.1 Section 7(7)(i)(a) of the Local Government Act 1936-90 provides that:

*"The voters' roll shall consist of the names of all electors enrolled up to the immediately preceding thirty-first day of December on the electoral roll or rolls of the electoral district or districts or parts thereof comprised within the Area or division, as the case may be;"*

- 4.2 Under Section 3(1) of the City of Brisbane Act 1924-90 an "elector" is defined as:

*"A person named as such in the electoral roll for an electoral ward;"*

The electoral roll in that Act is defined by reference to the Legislative Assembly Electoral Roll.

The Community Services (Aborigines) Act 1984 and the Community Services (Torres Strait) Act 1984 apply the provisions of the Local Government Act 1936-90 in regard to voters' rolls and voter qualifications.

Therefore, under the above Acts a voter in any Local Government election must be enrolled on the State roll.

- 4.3 To be eligible for enrolment on the State roll of an electoral district or ward, a person must satisfy the provisions of Section 21(1) of the Elections Act 1983-89, namely:

*"Subject to the disqualifications set out in this Act, every person not under 18 years of age -*

*(a) who is an Australian citizen; or*

*(b) who is a British subject (other than an Australian citizen) who was, at some time within the period of 3 months immediately preceding the commencement of this Act (1 May - 1 August 1983), enrolled on the roll for a district or enrolled in any other State or any Territory of the Commonwealth as an elector for the House of Representatives*

*and who has lived in a district for a period of 3 months continuously immediately preceding the day on which he makes his claim to be enrolled as an elector for such district is qualified for enrolment and entitled to be enrolled as an elector on the roll for the district in which he lives, subject to Part V."*

- 4.4 Section 23 of The Elections Act 1983-1989 sets out provisions regarding disqualifications from enrolment and voting:

*"A person is not qualified to be enrolled on any roll and is not entitled to vote at any election if he -*

- (a) *is mentally ill and incapable of managing his estate; or*
- (b) *in the State or elsewhere, has been convicted of an offence, has been sentenced to imprisonment in respect of that offence for 6 months or longer, and is in prison serving that sentence."*

### **Matters for Consideration**

- 4.5 The principal issue raised in relation to voter qualifications is whether the franchise in Local Government elections should be extended to property owners.
- 4.6 Queensland was the first State in Australia to give the vote to all residents and to eliminate property qualifications. The property franchise was finally removed in Queensland in 1932. In most other States, to varying degrees, there is still some form of a property franchise for Local Government elections, giving a vote to owners or lessees of property, and in some cases including corporate bodies. There has been a gradual reduction over recent decades in the categories of property franchise in other States.

### **The Evidence and Arguments**

- 4.7 The submissions and evidence before the Commission revealed widespread opposition to reintroduction of any form of property franchise. Few LAs supported reintroduction and such support for a property franchise as did exist came from a small number of LAs, business groups and individuals.
- 4.8 The Gympie City Council (S155) was representative of the views of a large number of LAs and organisations on this issue. At paragraph 1 the Council stated:

*"Queensland was the first State in Australia to give the vote to all residents of a Local Government area and to eliminate property ownership as a qualification to vote. The local residents, whether property owners or not, are the ones most directly affected by the day to day decisions and activities of the local Council. Absentee land owners whether of commercial or residential properties should not, Council believes, be entitled to vote at the expense of the local resident ...*

*The introduction of a property franchise would be a return to the old feudal system of land owner rights and serfdom and would be the equivalent of limiting voters for federal and state governments to those who had paid their taxes."*

- 4.9 Logan City Council (S186) was concerned about the administration of a property franchise system:

*"The major implications of including property owners on the electoral roll is that the roll can no longer be linked directly to the State Electoral Roll as the property records of the Council would need to be incorporated into the Voters' Roll for Local Government elections."*

- 4.10 Mr Sandell of Tambourine (S56) provided a valuable insight into difficulties with a property franchise:

*"A husband and wife form a \$2.00 company and operate a small coffee lounge in the main street. They employ no labour. On the other side of town there is a meatworks occupying a couple of hundred acres and employing up to 800 people. They are both corporations. If corporations are to be given the vote would these two have one vote each or would the meatworks have more than one? It was considered a singular victory in Queensland when property was finally divorced from voting qualifications."*

- 4.11 Citizens for Democracy (S102) raised the issue of foreign ownership and property franchise:

*"Moreover, the Queensland foreign ownership register shows the introduction of property and corporate franchise could lead to many of Queensland's local authorities being dominated by interstate and overseas interests, a factor seemingly overlooked by its advocates."*

- 4.12 Those who argued for a property franchise did so on grounds that absentee landholders should have a say in Council actions which affect their livelihood. The Carpentaria Shire Council (T219) said:

*"... ratepayers in the rural areas contribute 95% of the actual rate income of the Shire and a lot of these properties are owned by large property owners who do not live in the Shire, and, as we feel that rural representation should be made, the actual persons owning those properties and paying those rates are very interested in dealings of the Shire ... Added to that, of course, is the property owners are also interested in the welfare of their managers and staff that operate those properties."*

- 4.13 Woongarra Shire Council (S107) also supported a property franchise.

- 4.14 The Whitsunday Coast Development Association (S257) put the following arguments:

*"The system whereby only residents in a L.G.A are eligible to vote in council elections should be changed to include all property owners. In an area such as the Whitsundays a considerable proportion of property owners are absentee land holders. As such they are currently disenfranchised rate payers, and have no say in the actions of the council which controls the destiny of their investment and possible livelihood."*

- 4.15 The Civic Independent Group, of Rockhampton, (S258) made the following points in its submission:

*"Due to the rapid expansion of many provincial towns in Queensland there are a number of dormitory suburbs for provincial towns which are situated in adjoining Shires. Under the present system those persons are denied the right to vote in the Local Authority elections for the Town as they are non-residents, even though they may have a substantial interest in commercial land within the boundaries of the Town Council."*

- 4.16 A number of submissions, including those from Woongarra (S107) and Torres Shire Councils (S205), argued in favour of a property franchise on the basis of the "no taxation without representation" principle. Lady Gibbs (S92) elaborated on this principle as follows:

*"I submit that this is a breach of the fundamental principle that there should be no taxation without representation."*

*I believe that Queensland is the only Australian State which denies a vote to rate-paying land owners ... I have for many years owned a holiday home at Hervey Bay. I have visited Hervey Bay all my life and have a real interest in the planning and environment of the area. I pay rates which are not insubstantial ... If the franchise were extended to ratepayers, as well as to residents it might be necessary to make voting voluntary, rather than compulsory, at least for non-residents."*

4.17 The Brisbane City Heart Business Association (S256) proposed a property franchise for the central business district of Brisbane:

*"We submit there are compelling and sane reasons for the establishment of a new BRISBANE CENTRAL CITY Ward within the boundaries determined for the Brisbane City Council with the eligibility to vote within that Ward being given to the nominees of:*

- a) *rate paying owners of property within that ward*
- b) *registered occupiers/lessees within those properties (a) and persons who reside within that ward who are eligible to vote."*

The Association elaborated on its proposal for extended eligibility to vote:

*"Our submission would also suggest the following principles relative to Eligibility to Vote in the Brisbane Central City Ward.*

a) *Property Owners*

*As registered with the Brisbane City Council at the 30th June prior to the election.*

b) *Property Owners nominee*

*Be also entitled to vote, if eligible, in his resident ward provided that is not within the proposed Brisbane Central City Ward. Nominee to be registered by close of the roll.*

c) *Registered occupiers/lessees*

*They would be invited to make application to register with the Queensland Electoral Commission by advertising that opportunity and be required to tender appropriate evidence of their bona fide occupancy which may be subject to verification. Again this would be as at the close of the Electoral Roll generally.*

d) *Registered occupier/lessee nominee*

*Same as (b) above*

e) *Residents*

*Whilst some States also recognise a Body Corporate in a similar way to (c) above we do not do so as we believe the opportunity exists by residents being eligible to vote.*

f) *Single Nominee*

*Should there be multiple common Property ownership or Occupiers/Lessees within the ward, which is most probable, there should be different persons nominated to vote and no person have more than one vote.*

g) General Eligibility of nominees

*The same regulation and requirements to apply as for the Queensland electoral roll."*

These views were developed in oral evidence. (See T636 ff).

4.18 Aurukun Shire Council (S356) provided a different perspective on this issue:

*"Aboriginal law gives the owner of the land full right of control over it. Contrast this basic right, to the laws of Queensland where residents, and not owners, have the right to vote. Perusal of the submissions received by EARC to date, indicate that most favour retention of the 'resident' qualification, which is not acceptable under Aboriginal law."*

4.19 The LGAQ put the following views on the property franchise issue (S191):

*"Queensland Local Government does not have specific problems of Local Governments with high commercial activity and low residential population. The Greater Brisbane concept is unique amongst the nation's capital cities. The vast majority of absentee property owners in Brisbane, provincial and rural areas would be represented by resident managers or other company officials.*

*The Federal and State electoral systems do not differentiate between tax payers and non-tax payers, for example: aged, disabled and unemployed.*

*The functions of Local Government have, and continue to, change with increased emphasis being placed on people based services ...*

*The establishment of an equitable system for different levels and types of property ownership would be difficult and administratively extremely complex when the following factors are considered: high rise central city property, industrial estates, manufacturing facilities, high rise residential property involving 'time share' owners.*

*The possible heavy representation of external or absentee property owners in some areas would not be desirable as they do not have a broad community interest.*

*It is likely that there will be less emphasis on the property base for revenue raising in the future taking into account the anticipated broadening of the Local Government revenue base likely to arise out of the current review of the Local Government Act as well as the probable increased emphasis on user charges as a means of achieving a more equitable distribution of revenue raising."*

4.20 A number of submissions raised the issue of the current discrepancy between the three months' residence required to enrol for LA elections and the month's residence required for Commonwealth electoral enrolment. For example, the LGAQ (S191), Logan City Council (S186), Atherton Shire Council (S284) and Wondai Shire Council (S93) all proposed that this anomaly be rectified. Booringa Shire Council (S308), on the other hand, supported maintaining the current three month residency requirement:

*"Local Authority Elections seldom become high profile media events in fact, with very few exceptions, there is little coverage at all. This is quite understandable given the volume of candidates for consideration on a State wide basis.*

*If a person is to cast an informed vote they must draw on their local knowledge to formulate an opinion.*

*Booringa Shire submits that the present three month residential qualification is necessary for the formulation of such local knowledge and should not be decreased to match state and federal requirements."*

### **Analysis of Evidence and Arguments**

- 4.21 The Commission is of the view that the introduction of a property franchise into Local Government elections in Queensland would be a retrograde step. Queensland, in this respect, is more advanced than other States where the property franchise remains. The principle reasons the Commission rejects the property franchise are that it is inconsistent with the concept of equal suffrage and that it makes commonality of State and Local Authority electoral rolls impossible. Moreover, a property franchise does not exist in the other electoral systems operating in Queensland at both State and Federal levels, nor does it exist at those levels in the other States and Territories.
- 4.22 The Commission considers that a system of property franchise would be complex to administer. Further, the proposals put forward by some of the advocates of a property franchise were often unclear, in particular, the precise definition of persons eligible to exercise a property franchise.
- 4.23 The submission put on behalf of the Brisbane City Heart Business Association raised another inconsistency, namely, why should such a franchise be confined to the Brisbane Central Business District and not to commercial property owners elsewhere in the City of Brisbane? The Association argued (T637) that the Central Business District contributed 12.8% of the total rates paid in the Brisbane area. However, there is no information available on the proportion of rates paid by other commercial property owners.
- 4.24 Many advocates of a property franchise could not clarify under questioning precisely how far the franchise should extend. For example, the Cairns Civic Association (T893) would not express a view on whether a person with a 12 month shop lease should have a vote.
- 4.25 Logan City Council provided a dramatic example of the complications associated with a property franchise (T675):
- "... there is no limit to the number of people who can be joint tenants in a single property. I will put the preposterous suggestion to you that you could buy a very worthless block of land, say, and spread the ownership among 1,000 people and thereby create quite a voting block. Such a suggestion of course is ridiculous but I guess in law it could happen. We are totally opposed to property franchise and it seems to me this is going back to the days of the rotten boroughs in Victorian Britain."*
- 4.26 As to the argument concerning no taxation without representation, this argument has no application to voter qualifications in modern democracies which base their franchise upon concepts of citizenship, residence and equal suffrage.

- 4.27 Lady Gibbs, among others, suggested in her submission (S92) that a property franchise would need to be voluntary rather than compulsory. If the Commission were to decide that voting should be compulsory, it would be difficult to make exceptions.
- 4.28 Some proponents of the property franchise (for example, the Whitsunday Coast Development Association, T196) argued that companies are legal persons which own land and pay rates. The personality attributed to companies is a legal fiction, and has no relationship to democratic principles.
- 4.29 In any event, in a pluralist society there are many mechanisms whereby property owners can make representations to Councils and be heard. (See in this regard, Miriam Vale Shire Council, T72).
- 4.30 As questioning of witnesses revealed, a final problem with the property franchise is that it may give the franchise to non-Australian citizens not resident in Australia. The Commission does not regard this as desirable even in Local Government elections.
- 4.31 Finally, a property franchise would offend the principles of voter participation, legitimacy, and simplicity referred to in paragraph 1.7 above.

#### Other Voting Qualifications

- 4.32 Most of the qualifications to vote in Local Government elections are based upon the qualifications for enrolment on the State roll. The Commission is currently examining the question whether Queensland should enter into a joint roll arrangement with the Commonwealth. If the Commission recommends a joint roll arrangement and that recommendation is adopted, there will need to be similar qualifications for enrolment on both the Federal and State rolls. For example, Queensland requires three months' residence in the electorate before enrolment, whereas the Commonwealth requires one month's residence. In a joint roll regime the State's residence requirement would need to be reduced to one month.
- 4.33 These questions will need to await the outcome of the Commission's joint roll review. In any event, the Commission understands that it will not be practicable to introduce a joint roll regime before the 1991 Local Government elections. This means that those elections will have to be based on the existing State roll and the existing voter qualifications.
- 4.34 The submission by the Aurukun Shire Council (see paragraph 4.18) raises quite complex issues. No ATSI organisation put similar views. The Commission considers that the status quo should be maintained pending the wider review referred to in Chapter 19.

**Recommendations**

**4.35 The Commission recommends that there be no change to voting qualifications in Local Government elections in Queensland. Further, the Commission recommends that:**

- (i) the March 1991 election be conducted on existing voter qualifications; but**
- (ii) thereafter the matter be reviewed in the light of the Commission's recommendations in relation to joint electoral rolls.**

## CHAPTER FIVE VOTING SYSTEM

### Current Situation

5.1 Under the Local Government Act 1936-90, voting is by the first past the post system, except where a direction has been given under Rule 21A of Schedule 3 which provides:

- "(1) Subject to this rule, the Governor in Council, may, on his own motion or on the application of the Local Authority of an Area, by Order in Council, direct that, on and after the date specified therein and until the direction is cancelled by further Order in Council, voting at every triennial election and every fresh election held in an Area shall be conducted by a system of preferential voting.*
- (2) The Governor in Council shall not make a direction pursuant to subrule (1) unless -*
- (a) the Area is divided into divisions for the purposes of Part IV; and*
  - (b) one member only is to be returned to the Local Authority for each such division."*

5.2 The City of Brisbane Act 1924-90 refers in Section 17(6) to the provisions of the Elections Act 1983-89 which specify in Section 79(1)(a) that voting is by preferential ballot. Nine City Councils (including Brisbane) and one Shire Council use preferential voting.

5.3 Schedule 3, Rule 47 of the Local Government Act 1936-90 sets out the voting procedure to be used in Local Authority elections -

*"(1) The elector having received a ballot-paper -*

- (a) where a system of preferential voting is operative pursuant to rule 21A and in the case of an election for the office of Chairman or, as the case may be, member, shall in one of the compartments provided for the purpose, place the figure 1 in the square opposite the name of the candidate for whom he votes as his first preference for each such office, and shall give contingent votes for all the remaining candidates by placing, as the case requires, the figures 2,3,4 (and so on, as the case requires) in the square opposite their names respectively so as to indicate by numerical sequence the order of his preference for them; or*
- (b) in other cases, shall, in one of the compartments provided for the purpose, mark his ballot-paper - in the case of the election of Chairman, by placing the figure 1 in the square opposite the name of the candidate for whom he desires to vote; and in the case of the election of members -*
  - (i) where one candidate has to be elected, by placing the figure 1 in the square opposite the name of the candidate for whom he desires to vote; or*
  - (ii) where more than one candidate has to be elected, by placing in the squares respectively opposite the names of the candidates for whom he desires to vote -*

- (A) *where two candidates have to be elected, the figures 1 and 2 respectively;*
- (B) *where three candidates have to be elected, the figures 1, 2 and 3 respectively,*

*and so on, according to the number of candidates to be elected. Each vote so numbered in consecutive order shall be a vote."*

### **Matters for Consideration**

- 5.4 Voting systems currently in use in LA elections throughout Australia include first past the post, preferential and proportional representation (PR). In Queensland 124 LAs use first past the post, 10 use preferential voting and no LA uses PR.
- 5.5 Under the first past the post system currently used in Queensland Local Authority elections, the candidate/s with the greatest number of votes is/are elected. This system has the advantage of simplicity for both voters and those conducting the election. It also results in speed of counting the votes. However, it is sometimes argued that minority opinions may be denied representation or that candidates are elected when a majority of electors may have preferred other candidates.
- 5.6 Preferential systems, as used in State and Federal lower house elections and in 10 Queensland LAs, may overcome this latter disadvantage, as voters can indicate their order of preference for all candidates. On the other hand, the preferential system has been criticised for its complexity and, where compulsory, for requiring electors to express preferences which they may not have. Optional preferential voting, which allows voters to vote only for the number of candidates for whom they wish to express a preference, may overcome this criticism.
- 5.7 PR systems are believed to be more effective in enabling election of representatives of minority groups. However, some argue that the process involved in counting votes can be complex and time consuming, leading to longer periods before election results are finalized. PR systems are used for the Commonwealth Senate, the New South Wales, South Australian and Western Australian Legislative Councils, and in Tasmania for House of Assembly elections. PR is now the dominant method of election in NSW Local Government. In South Australia and Tasmania the incidence of LAs using PR is growing. Proponents of PR tend to support the Hare Clark system which originated in Tasmania.
- 5.8 Appendix F describes in greater detail the main alternative voting systems in use in Australia and elsewhere, with a summary of some arguments for and against each of those systems.

## The Evidence and Arguments

- 5.9 Most submissions supported the retention of, or return to, first past the post voting as the simplest voting system. A major concern was the greater complexity involved in alternative systems, both for voters and for those responsible for counting votes, and the consequent delays in proclaiming the results of the election.
- 5.10 The views of the Kilcoy Shire Council (S233) were representative of a large number of submissions:

*"The 'first past the post' system is used by most Councils and has proved satisfactory in the past. It is a simple method, and an early result can be achieved after the close of the poll."*

- 5.11 Similar views were expressed by the Pioneer Shire Council (S196):

*"It is considered that a uniform Voting System should be applied to all Local Authorities in Queensland as they are covered under one Act and by having one system throughout the State this would eliminate the problem which occurs from time to time of Local Authorities themselves or the State Government changing the system in particular areas to try to influence the result of elections."*

*In most areas of Queensland the First-Past-The-Post system of voting has been used for many years and there have not been any significant problems arise with this system. It is therefore suggested that this system of voting should continue to be utilised for Local Authority elections."*

*Under the First-Past-The-Post system, the more candidates that contest an election the greater the likelihood of a person being elected with less than 50% of the total vote, however under a preferential system people are forced to declare second and subsequent preferences even though they may not have them. Votes cast under the First-Past-The-Post system are deliberate votes and therefore the candidate who receives the greatest number of votes, even though he may not receive over 50% of the total vote, should be elected."*

- 5.12 On the subject of uniformity of voting systems, the evidence fell into two broad categories, namely:

- (a) those who argued for more uniformity across Local Government elections. The following argument was put by the Australian Labor Party (S240):

*"Queensland is beset by a wide variety of voting systems for local government. This multitude of different systems has allowed previous Ministers to pick and choose which particular system might best assist their supporters. It has also been a source of confusion for the voters. We argue that in most cases the electoral systems for local government should be analogous to the systems that apply at state and federal levels."*

- (b) those who argued for a degree of diversity and flexibility in the system. The LGAQ (S191) gave the following typical views:

*"Whilst it may appear desirable in theory to have a uniform voting system, the diversity of this large State gives rise to different local government situations and needs. This means that a single voting system is not a practical option to achieve fair and equitable representation ...*

*The selection of an appropriate voting system depends on factors such as the principles used in determining how external boundaries are drawn, the divisional structure adopted, whether single member or multiple member divisions exist, or whether the local government is undivided.*

*Whilst simplicity to achieve voter understanding and acceptance is important in determining voting systems, it is nevertheless important to identify the system which will ensure that the overall aspirations of the community are achieved."*

- 5.13 The Commission will deal first with the evidence relating to each of the major voting systems and will return to the uniformity/diversity issue in paragraphs 5.27 to 5.31.

## FIRST PAST THE POST

- 5.14 Submissions supporting first past the post voting emphasised its simplicity and speed in declaring results. For instance, the LGAQ (L60) stated:

*"The administratively simple first-past-the-post system is used ... with considerable benefits in terms of administrative costs, rapid declaration of results and very few disputes over the results obtained."*

- 5.15 The National Party of Australia (S260) stated that first past the post voting:

*"is an ideal system for local government elections. It is logical, quick, efficient and simple;*

*allows people to stand as individuals and mitigates against 'deals';*

*is ideally suited to non-city LGAs and;*

*allows for minority opinions."*

The Kilcoy and Pioneer Shires, as noted above, supported first past the post because it has been used successfully for a long time and voters are familiar with it.

- 5.16 Gold Coast City Council (S116) gave particulars of a survey conducted in 1988 of 11,501 respondents; 55.5% indicated a preference for first past the post voting and 37.6% supported preferential voting.
- 5.17 Opponents of first past the post expressed concern that under first past the post voting a candidate with a minority of votes may win, potentially leaving a majority of voters with no member representing their interests. Alternatively, a moderate voting majority in "at large" elections might be distorted by first past the post into a disproportionate number of elected members. The Proportional Representation Society (S250) criticized the use of first past the post voting in LAs divided into single member wards:

*"The most obvious defect of first-past-the-post in single member constituencies is its capacity to allow candidates with only minority support to be elected as the sole representatives of their district. Even with all districts in an L.G.A. having exactly equal enrolments, it is a regular occurrence to have massive distortions in representation, with minorities sometimes ending up with all the elected representatives. The potential for 'wasted' or ineffectual votes is increased as the number of candidates standing for election in an electoral district increases."*

- 5.18 The PR Society also suggested that where first past the post voting is used in multi-member constituencies, it is unlikely that many voters are aware that they are not indicating preferences when placing consecutive numbers on ballot papers. This point was also raised by Dr Paul Reynolds (T753) at the Brisbane hearing, when he said:

*"... many people who are voting now in first past the post council elections believe that they are operating some kind of preferential system and, indeed, some kind of proportional representation system, because they are required to rank candidates in order. I think there is a lot of confusion out there about how the system works and I think many people would be quite amazed to find that they were in fact doing a first past the post rather than something for the House of Reps or the State Parliament or, indeed, for the Senate."*

## PREFERENTIAL VOTING SYSTEMS

- 5.19 The Australian Labor Party (S240) proposed, in relation to LAs with 2,000 or more electors and divided into single member wards, that:

*"Preferential voting should be adopted because it is much fairer and produces councils with the support of the majority ... it is submitted that optional preferential voting may be the best form of voting in local government elections."*

- 5.20 In small undivided LAs with less than 2,000 electors where the Australian Labor Party believes first past the post voting is the only effective option, it argued that a preferential element could be built in:

*"It is submitted, however, that 'approval' voting should apply in all areas where first past the post voting is retained, ie each voter makes a formal vote by voting for any number of approved candidates up to the number to be elected. For example, with 7 members to be elected, a formal vote includes all votes which express support for any number of candidates from 1 to 7. In areas with small numbers of electors this method introduces a valid 'preferential' element, and is more likely to produce a result which reflects area-wide attitudes."*

- 5.21 The LGAQ (L60) also supported preferential voting in LAs with single member divisions:

*"In the Association's submission to EARC dated 17th May, 1990, we supported the preferential (or optional preferential) system of voting for the thirteen (13) LGA's consisting entirely of single member divisions. The preferential system has the advantage of taking account of preferences of voters who do not support the candidate receiving a plurality of first preference votes."*

*Admittedly, the preferential voting system is somewhat more complex to administer in single member divisions than the first-past-the-post system, but the benefits of increased accuracy in registering community preferences clearly justify the added administrative complexity."*

- 5.22 There appears to be general agreement that preferential voting systems are not ideally suited to LAs which are undivided or contain multi-member divisions. See for example Toowoomba City Council (S127), Boonah Shire Council (S129) and Noosa Shire Council (S131).

## PROPORTIONAL REPRESENTATION

- 5.23 PR voting systems were strongly advocated by a number of organizations including the Proportional Representation Society (S250):

*"A favourite argument used by critics of PR is that it leads to instability with governments less likely to get a majority of seats, coalitions being required and many parties obtaining representation. Our Society believes this argument to be greatly overstated and mostly inaccurate with regard to the Hare-Clark method of PR ... However the fact remains that this 'stability' argument is the major argument used against PR and simply does not apply to Local Government.*

*Local Authorities do not depend on a stable majority party governing Councils. The vast majority of Councillors/Aldermen in Queensland are elected as independents and not formally aligned with political parties. Even where parties control Councils as in Brisbane, there would not be the need to call new elections etc, if a motion from the Mayor or Administration was defeated on the floor of Council.*

*Local Authorities in Queensland do not operate under the Westminster System and the Mayor/Chairman does not require the 'confidence' of the chamber to carry out his/her duties and functions. There is not the need to worry about 'working majorities', so a system that ensures representation of the 'fullest possible cross-section of interest groups and viewpoints', namely Proportional Representation, can obtain widespread political support for use at Local Authority level.*

...

*Surely the most important function of a Council is to reflect the range of views and opinion in the community in the most accurate way possible. Most of its critics accept that PR most accurately transforms electoral support for various tendencies in the community into representation in an elected body such as a Council. Due to the method of operation of councils in Queensland there is no logical reason why significant minority views should be excluded from representation on Councils as occurs under single member and block voting multiple-member systems."*

- 5.24 The Proportional Representation Society added further insights into the experiences of PR in other Australian states in their Comments in Response (S366):

### "NSW

*Proportional Representation is now the dominant method of election for local government in NSW. Of a total of 176 Councils, 151 are elected by quota-preferential voting with 87 of these involving elections 'at large' in undivided Councils ... Most of the undivided Councils are in the Country involving mainly Shires.*

*To our knowledge there is no move to change this arrangement due to Country people feeling they are not getting their fair share of representation. Anecdotal information is that people are very satisfied with all significant sectors of the community able to obtain representation, even the alternative lifestylers of the Northern Rivers. (Nimbin, etc.)*

### SOUTH AUSTRALIA

*Attached .. is the 1986 Report of the South Australian Government's Local Government Election Review Working Party which found PR 'the fairest and most equitable system where 2 or more candidates are required to be elected'. Since this report there has been an increase in Councils using PR especially 'at large' and outside the metropolitan area.*

### TASMANIA

*As in South Australia, the number of Councils in Tasmania adopting PR with elections at large, is steadily growing. Hobart has had a long and detailed experience with the system. Launceston is presently considering a move to such a PR election at large."*

- 5.25 Citizens for Democracy (S102 and S367, and T731 ff) and the Australian Democrats (S259 and T718 ff) also strongly favoured PR as the voting system best able to produce results which truly reflect the wishes of the community.
- 5.26 The LGAQ (L60) recognized the advantages of PR but was concerned about its administrative complexity:

*"Without spelling out all the steps involved and pointing to the added complexity involved, we would mention the following -*

- \* the desirability of rotating names on printed ballot papers and the correspondingly greater time and effort involved in supervision of printing;*
- \* the determination of the quota for election;*
- \* the calculation of surplus votes as each candidate elected reaches the quota;*
- \* the calculation of a transfer value for the purpose of deciding the equivalent number of full votes represented by the surplus votes;*
- \* the allocation, in full vote terms, of the surplus votes among continuing candidates;*
- \* the likelihood that in a field of 25 to 30 candidates, the above process will not fill all vacancies;*
- \* the consequent need to distribute the ballot papers of the lowest scoring candidate (in first preferences) among continuing candidates, at full value; and so on until all vacancies are filled, either by attaining the quota or by elimination of candidates.*

*Under the present first-past-the-post system, counting takes place at individual polling booths and the collation of final results is a relatively simple matter, given that every vote in every box on the ballot papers is equal to every other vote and that the candidates elected are the eight (8) with the highest totals of votes.*

*Under a PR system outlined ... above, the task appears to be of quite a different order of magnitude from the present task.*

*It should also be noted that the increased complexity would undoubtedly generate much confusion in the minds of candidates and scrutineers. Whether surplus votes were distributed among continuing candidates at mathematically reduced values (as in the Hare-Clark system) or by means of physical reduction by random selection of ballot papers (as in the Senate electoral system), it is likely that more questions, challenges, disputes and recounts would arise purely as a result of uncertainty about procedures being followed in the minds of candidates and their supporters."*

## UNIFORMITY OF VOTING SYSTEMS

5.27 A number of submissions which supported allowing different voting systems to be used in Local Government elections, proposed that LAs should be provided with options from which to choose at their own discretion; for example, the National Party (S260) said:

*"There is much to commend having more than one voting system in Local Authority elections. This submission supports the principle that all matters relating to government in a Local Authority area be the prerogative of that Local Authority. In other words each council should be able to choose the voting system or systems most suited to its circumstances."*

5.28 Others proposed that specific voting systems be applied to different classes of LA; for example, staff of the Department of Government of the University of Queensland (S310) said:

*"We see no reason to insist on a uniform voting system in local government. The diversity that exists even within the same class - shires, for example - renders any demand for uniformity of voting system intrinsically dubious. The demographic differences between a small, compact urbanised shire like Redland and a vast, sparsely populated one like Cook emphasises this point.*

*If ... there are sound reasons to have as many as possible LGAs electorally undivided, we believe that proportional representation would be an appropriate voting system to ensure that minority interests would be better protected at the local level. Where, as in the Gold Coast, a reasonable case can be made for the retention of electoral divisions and single member representation, optional preferential voting is preferable."*

5.29 On the other hand, the Australian Labor Party (S240) said:

*"In summary, it is submitted that:*

*\* for all areas of 2,000 or more electors a single-member divisional system with optional/preferential voting apply ... and*

*\* for all areas with less than 2,000 electors, the voting system be a multi-member single constituency system with approval voting on a first past the post basis."*

- 5.30 In general, those who proposed that PR be introduced believed that this system should apply across-the-board.
- 5.31 Finally, many submissions which preferred first past the post voting proposed that LAs should also have the option of preferential voting, particularly if they are comprised of single-member divisions. See for example Murilla Shire Council (S33), Kilkivan Shire Council (S183) and Cr Fred Rich of Blackall (S360).

### **Analysis of Evidence and Arguments**

- 5.32 It is clear from the evidence that there is widespread support for first past the post voting as that is already the predominant voting system operating in LAs in Queensland. Preferential voting is however becoming more accepted in the larger urban LAs which are divided into single member divisions, despite its imposition by the State Government in recent years. Rockhampton City Council (S182) was an exception; it preferred first past the post.
- 5.33 Although first past the post may not give as much scope for the representation of minority interests as preferential voting and PR systems, the Commission considers that it provides reasonably fair representation in Shires if principles of equal suffrage apply. Having regard to the principles set out in 1.7 above, first past the post also provides a greater degree of speed and simplicity in Local Government elections. It must be said, however, that the other two systems have their advantages particularly in the area of minority representation. In the final analysis, legitimacy (that is, a system having the confidence and support of the community) is a critical quality in a voting system. It is clear from the wide range of submissions received by the Commission that first past the post has very wide community support, quite possibly because party and even group candidacies are still the exception in Queensland Local Government elections..
- 5.34 As to PR, the Commission considers that while it may prove an effective system in undivided LGAs it would not prove practical in divided LGAs. In order to achieve effective representation for minority interests, multi-member divisions of at least 5 members are usually required. As will be evident from Chapter 7 (Divisional Arrangements) it may be impractical to achieve divisions with 5 members or more in many Councils where total membership is limited to a maximum of 11 or 13, and at the same time maintain divisions which reflect community of interest.
- 5.35 The Australian Labor Party's principal objection to diversity is that it allows Ministers to pick and choose systems to political advantage. This objection can be overcome if decisions on voting systems are taken from Ministers and placed in the hands of the electors themselves or in the hands of an independent body. These alternatives are dealt with later in this report. The Australian Labor Party's secondary objection was that diversity was a source of confusion for the voters. This objection was not supported by the weight of the evidence. The predominance of the evidence supported diversity and flexibility in voting systems.

- 5.36 The Commission considers that there should be a degree of flexibility in voting systems in Local Government in Queensland. The Commission attaches importance to giving LAs and electors in Queensland an appropriate degree of control over their own affairs, and this includes the voting system. The Commission considers that there should be scope for LAs and their electors to choose the voting system best suited to their needs within reasonable limits. The choice should be limited to a small number of systems commonly used and accepted within either Queensland or Australia. In the Commission's view those systems are:
- (a) first past the post;
  - (b) preferential; and
  - (c) proportional representation using the Hare Clark method.
- 5.37 The Commission considers the following general principles should apply to voting systems in LAs in Queensland.
- 5.38 In LAs which are divided into single member divisions, preferential voting should apply. This system is relatively familiar to electors being the system which applies at other levels of government. The Commission considers that optional preferential voting is to be preferred because it is simpler for voters and does not require voters to record preferences they do not have.
- 5.39 However in LAs where there are no divisions, PR (Hare Clark) should apply on the basis that it gives the greatest scope to minority interests. PR also overcomes the landslide effect of first past the post in undivided LGAs (see paragraph 5.17 above). Electors should be required to indicate at least as many preferences as there are vacancies to be filled. In relation to PR, the Commission considers the LGAQ's concerns about complexity (see paragraph 5.26) are overstated. PR is becoming increasingly accepted in other States at Local Government level. The benefits of PR in terms of minority representation occur in multi-member electorates of five or more members. Such electorates occur mainly in undivided LAs. Experience in other States indicates that electors and Returning Officers have little difficulty adjusting to PR and accepting it as a voting system. In any event, the change should not occur for at least 3 years which allows ample time to prepare for change.
- 5.40 In the case of all other LAs, first past the post should apply. These LAs utilise either multi-member divisions or mixed (single and multi) divisions.
- 5.41 Moreover, the Commission considers that, consistent with maximum autonomy, LAs should have an option to move to an alternative system (within the three systems just mentioned) if it is supported by a majority of the electors in a poll conducted to determine that question. To initiate such a poll the Commission considers there should be evidence of significant support for the change and accordingly recommends that a poll be conducted where 10% of the voters in an LA request a poll or where the Council so resolves.

- 5.42 There must however be a correspondence between the divisional structure and the voting system. If an LA's electors choose to move from first past the post to PR there must be a simultaneous move to an undivided LA, i.e. all divisions must be abolished. Otherwise, there is a real risk of undue proliferation of both voting systems and divisional arrangements without any real benefit. The Commission believes that these proposals strike a reasonable balance between continuing the benefits of the present arrangements and allowing voters to choose alternative systems within an overall structure.
- 5.43 In the case of election of Mayors and Chairman, the method of marking the ballot paper should be the same in each LA as that used for members. Therefore LAs operating either a preferential or PR system for the election of members would require electors to use the optional preferential voting system for the election of mayors or chairmen. The Commission considers the confusion and administrative difficulties of using two methods should be avoided.
- 5.44 Finally, the Commission considers that there should be no changes to existing voting systems until after the 1991 Local Government elections. It will be difficult to achieve the adoption of other changes recommended in this Report for those elections. Changes to voting systems will require preparation, education and changes to the law. There is simply insufficient time to properly introduce these changes before the 1991 elections.

#### **Recommendations**

**5.45 The Commission recommends that:**

- (a) the existing law relating to voting systems apply for the 1991 Local Government elections;
- (b) thereafter
  - (i) the voting system for Mayors and Chairmen be either first past the post where this is used for the election of members or optional preferential in all other cases;
  - (ii) optional preferential voting for members in LAs which are divided into single-member divisions;
  - (iii) first past the post voting for members in LAs with multiple member or mixed (that is both single- and multi-member) divisions;
  - (iv) proportional representation using the Hare Clark system for members in undivided LAs with electors being required to indicate at least as many preferences as there are vacancies to be filled;
- (c) thereafter electors of an LA should be able to change to any one of the three voting systems referred to in paragraph (b) provided a majority of electors support such a change at a poll conducted at the initiation of the Council or following a petition from 10% of the electors.

## CHAPTER SIX

### ONE VOTE, ONE VALUE

#### Current Situation

- 6.1 There are currently no provisions in the Local Government Act 1936-90 relating to equality of vote values, or permissible levels of tolerance between vote values. Nor has there been any requirement to ensure that reviews of divisional boundaries and representation occur on a regular basis. In LAs where no adjustment has taken place over many years, a vote in one division may be worth more than 20 times a vote in another division. For example, in the Kingaroy Shire the value of a vote varies up to 27 times and the divisional boundaries have not been significantly altered since the Shire was established in 1912 (T31). Of 134 LAs, votes are of equal value in the 24 without divisions; in 66 the value of a vote in one division is worth 3 or more (up to 27.3) times a vote in another division. The Australian Labor Party provided some interesting tables setting out these variations (S240). On the distortion index in these tables one vote, one value has a value of 1. These tables are set out in Appendix G.

#### Matters for Consideration

- 6.2 Arguments for establishing greater or substantial equality of value for all votes within an LGA are based on democratic principles and the belief that the Local Authority electoral system should resemble Commonwealth, State, and other comparable electoral systems. Establishing this may entail setting maxima for percentage variations in population or enrolment of electoral divisions; and may require review and re-adjustment of LGA electoral boundaries from time to time. Alternatively, the elector/member ratio may need to be adjusted by other means.
- 6.3 Other arguments would suggest that economic, social and physical considerations need to be taken into account along with democratic principles in deciding electoral boundaries within LGAs. Any system based on such arguments would require procedures for identifying the economic, social and/or geographic factors to be used in determining electoral boundaries.

#### The Evidence and Arguments

- 6.4 The arguments for and against one vote, one value tended to be similar to the arguments put forward in the Commission's review of the Legislative Assembly electoral system. However in the case of the Local Government review the remoteness and isolation argument carries less weight.

- 6.5 First, large Shires such as Barcoo (61,900 sq.k.), Boulia (61,200 sq.k.), Bulloo (73,600 sq.k.), Carpentaria (68,300 sq.k.), Cook (115,300 sq.k.), Dalrymple (67,800 sq.k.), Diamantina (94,700 sq.k.), Mareeba (52,600 sq.k.), Quilpie (67,500 sq.k.) and Winton (53,800 sq.k.), to instance those over 50,000 sq.k. in area, are still substantially smaller than the biggest State electoral districts - Cook (350,700 sq.k.), Flinders (199,000 sq.k.), Gregory (443,200 sq.k.) and Warrego (222,500 sq.k.). Second, whatever may be the case for weightage in the remote areas in State elections there seems less to support the argument for weightage in favour of rural voters over town voters in remote areas. For example, people whether they live in the town of Boulia or in the rural areas of that Shire are all country people. All persons in the Boulia Shire share the difficulties of remoteness and isolation. The advantages the Boulia town residents have over the rural areas of the Shire are marginal.
- 6.6 The Commission finds it curious that the intensity of advocacy for change at the State level concerning weightage does not seem to be repeated at Local Government level. There was little evidence from persons and organisations at local community level complaining about the weightage which currently exists. The lack of local community pressure for change is reflected in the following evidence from the Kingaroy Shire Council (T36):

*"THE CHAIRMAN: Might I suggest that part of the reason that you are not directly answering me is that you really do consider that this sort of weighting is indefensible.*

*COUNCILLOR TRUSS: Well, I have not attempted to defend it, I did not think, at this particular place, nor have I ever in the past, and I indicated to you that had there ever been pressure to change I would not have resisted it."*

- 6.7 Mr Swan (Australian Labor Party) offered the following explanation for this phenomenon (T693):

*"The thing that really came through when I was talking to people in those areas was the cultural fear that has existed in this community over the last 20 or 30 years. People would come to me and say, 'We finally feel that we can stand up and express a view.' There are hundreds of thousands of people in this State that have lived in communities that have virtually been one party States that have not been game to stand up and be counted for fear of what became known as the 'pay back system'. All I would say is that in some areas of the State, Kingaroy included, people haven't stood up. It is because they regarded themselves as being, if you like, surrounded and almost smothered by the one party State. That one party State owes its life to the bizarre distortions evident in this table: Kingaroy 27 to 1; Bowen 21 to 1; Stanthorpe 17 and so on."*

Citizens for Democracy (T730-1) also expressed the view that there may have been disincentives in the past for local people to press for change. However, in spite of the fact that this Commission advertised its review process very widely throughout the State, relatively few of the people described by Mr Swan made submissions, or came before the Commission to express a view, on malapportionment in Local Government electoral systems.

6.8 The Commission nevertheless considers that such lack of pressure for change should not be the sole determinant of the matter. The Commission has a statutory responsibility to recommend the electoral system it considers provides fair and equitable representation (see Legislative Assembly resolution - paragraph 1.3 above).

6.9 Arguments against one vote, one value usually centred round the perceived need to take into account a number of factors other than simply equal electoral numbers, including:

- the need to recognise communities of interest;
- the need to ensure representation of sparsely populated rural areas which produce much of the wealth and pay a high proportion of rates;
- problems of communication in sparsely populated areas;
- workload of Councillors which is often seen as related primarily to road inspection whilst rural Councillors who travel these roads are in the best position to assess needs;
- geographical and topographical characteristics of the LGA.

6.10 The evidence given to the Commission disclosed a general support for equal suffrage in Cities and Towns on the basis that they are relatively homogeneous urban areas but many submissions argued for weightage in rural Shires. The LGAQ (S191) was representative of this point of view:

*"In theory the equality of votes is a desirable objective, however, the differing circumstances across the wide spectrum of local governments gives rise to the need for varying degrees of tolerance.*

*Where an area is relatively homogeneous, for example, an urban centre, "one vote one value" may be achievable with a tolerance of (say) (+) or (-) 10%. However, as areas become heterogeneous, an increasing tolerance is necessary.*

*There are workload differences between low density rural areas compared with that of compact urban locations combined with a variation in emphasis between property and people oriented services.*

*In rural areas, local government property based services, specifically roads, remain the dominant responsibility. Unlike Federal and State parliamentary representatives in rural areas who have a broad range of responsibilities which do not have a physical character requiring inspection or access, local government representatives have a strong need for access to the location of issues on which decisions have to be made. This type of access can be very time consuming even if only a few matters have to be attended to.*

*This imbalance in access and workload can be addressed in part by the use of divisional structures which cross both urban and rural areas. This can also allow for greater similarity in the number of electors per division. However, the setting of external boundaries also impacts on the tolerance that should exist given the particular character of the local government involved.*

*The development of mathematical models for the levels of tolerance should be based on relevant criteria such as population, distances and variations in the functional responsibilities and outlays across a local government area."*

6.11 In his oral evidence before the Commission the President of the LGAQ, Councillor Pennell, would not be drawn on what might be the limit of weightage in rural LGAs (T771):

*"That is a particular figure I would not like to be adamant about."*

6.12 The National Party (S260) was opposed to votes having equal value within rural LGAs:

*"One-vote-one-value would create inconsistencies and inequalities between electors and the equality of representation for people in remote areas of a LGA would be diminished.*

*If LGAs were to have equal numbers of electors, the issues relating to centres of influence, namely the more populous towns, could dominate the Council to the detriment of outer areas.*

*Furthermore, LGAs with equal enrolments would be large and unwieldy thus losing their impact and hallmark that Local Government is close to the people."*

but concluded that urban LAs should be treated differently:

*"The NPA-Q recommends that votes within any one LGA should not have equal value, but that the principle of electoral weightage and community of interest should apply, except in a Local Authority wholly within a City boundary."*

6.13 Further comment was provided on this issue during the National Party's evidence at the public hearing in Brisbane on 20 July 1990. When asked what might be the permissible limits of tolerance in rural LGAs, Mr Powne had this to say (T712-3):

*"THE CHAIRMAN: What I am trying to explore is the rationale of the principle you are putting to me. You put a series of factors that need to be taken into account and what I am saying to you is: what are the outer limits of that? Do you just follow that calculation through wherever it leads you or do you reach the point where the weightage, to forgive the pun, is just crushing?"*

*MR POWNE: Yes, I would have to say that I would agree that it is advisable to have an upper limit. I couldn't put an upper limit, but if I was having a guess I would say somewhere around 20 or 30 at a maximum.*

*THE CHAIRMAN: With a degree of weightage.*

*MR POWNE: Yes, a weightage of a maximum between 20 and 30. From my experience in the Shires throughout Queensland, you are really getting to the stretching point once you start getting into the upper 20's.*

*COMMISSIONER HUGHES: Let me make sure I understand you correctly as to when you say '20's'. Do you mean one voter could have 20 times the voting power or are we talking in percentage terms now?*

*MR POWNE: I am talking in relation to, say, you have your three divisions and you need in one division 20 people to elect one councillor whereas the other division it is one person.*

*COMMISSIONER HUGHES: It is a 20 to 1 ratio?*

*MR POWNE: Yes."*

6.14 This degree of weightage was not supported by any other witness. For the LGAQ, Councillor Pennell (T771) said:

*"I would have to be quite honest with you, Mr Chairman, to say that I don't think I would be able to justify the tolerance as was suggested by the National Party this morning, but I do believe that there is room for tolerance in some areas ..."*

- 6.15 A typical comment in support of weightage by a rural LA came from the Banana Shire Council (S90):

*"The arguments are that Local Government is more about property services than people services. A rural L.G.A. relies on its rural industry getting produce over roads to railheads, markets, etc. Physical size, road length, the distribution of electors and the resultant workload responsibility of the member to service the needs of the divisional community should combine to determine the electors' member ratio.*

*There is no argument in favour of one vote - one value."*

- 6.16 A number of submissions defended the current weightage on particular grounds, not related to rural interests.
- 6.17 Community organisations and individuals from the Redland Shire argued for special consideration in relation to island communities. Generally they argued that one vote, one value in Redlands would eliminate any effective representation for island communities. Those making such submissions included Stradbroke Island Management Organization Inc (S119), the North Stradbroke Branch of the ALP (S309 and T665 ff), Beautiful Russell Island Deserves Government Encouragement-BRIDGE (S237 and S329), Amity Point Progress Association (S198 and S359) and Residents of Redland Bay Islands (S266).
- 6.18 Belyando Shire Council (S315 and T140 ff) described the potential dominance, under one vote, one value, of a rural Shire by a large mining community. Councillor Henn argued that Belyando is a rural Shire having to co-exist with a relatively transient mining community. She also claimed that 84% of the residents of Moranbah (a mining town and the largest urban concentration in the Shire) are not ratepayers, and 66% of all Shire residents pay no rates (T141).
- 6.19 Those who supported application of the principle of one vote, one value to Local Government elections generally did so on grounds that this is consistent with democratic principles; some pointed to the change in emphasis in Local Government from the provision of property services to provision of people services.
- 6.20 For example the Trades and Labour Council (S212) argued for the principle of equal suffrage on a number of grounds:

*"The Trades and Labour Council of Queensland believes that as a matter of principle all votes within any one Local Government Area should be of equal value. Deviation from the principle of 'one vote-one value' should only occur within a tolerance promulgated as the basis for drawing divisional boundaries. The principle of 'one vote-one value' removes one source of social and political inequity. Unequal electoral divisions mean that some votes have more weight than others. As such, residents in small divisions have the potential to exert more influence over the composition and actions of Local Government than residents of larger divisions. This is especially so given the extant variation in the number of electors between divisions. The effects of unequal divisions may be manifest in the political composition of Local Authority Councils to such an extent that one or other political party obtains a virtual lien over certain councils. In other cases, the inequalities in the structure or divisions seems to favour residents of rural (rather) than urban areas within a Local Government Area.*

*Local Authorities are large employers and, especially in country and provincial areas, often the single most important employer. Council decisions on matters such as the level of services and employment practices can have substantial impact on local labour markets. Planning and other decisions made by Councils can also have considerable effects on the level and type of local employment. If the complexion of Councils is biased because of inequalities between electoral divisions this can affect planning and employment decisions. There are thus economic as well as ethical reasons that all residents should have equal voice in the election of Councils."*

6.21 Other arguments in support of equal suffrage were more colourful. The Lowood and Area Progress Association (T508) said:

*"MR FOX: I just feel that in Queensland we have some belief that bandicoots and magpies have some reason to be represented. I believe that what you are representing on a Council or a Shire are people, and those people are entitled to equal representation. Anything that departs very largely from that I feel negatives the whole reason for voting. I can see no circumstances where tolerances greater than 20 percent should be tolerated."*

6.22 The Ipswich City Council (T683) said:

*"ALDERMAN TULLY: We don't believe there should be any exceptions except with a margin of 10 percent tolerance. Our view is that once there is a departure from that particular system, for whatever reason, because of island communities, because of remoteness or whatever, it reinforces that there are some circumstances in which it can be justified. Our view is that Aldermen and Councillors represent people, they don't represent acres of land, cattle, dogs, goats, geese or kilometres of roads, and that as representatives of the people, which is the view frequently put by Local Government representatives that they are representatives closest to the people, they represent actual people and it would be inconsistent with that view to have anything but votes of equal value in all circumstances."*

6.23 Mr Stone of St George (S43) said:

*"... it severely stretches credibility to argue that a Zonal System should exist within one rural Shire, to protect one division against another."*

6.24 When questioned on the permissible limits of tolerance most Council representatives argued for a region of 10% to 30%. For example, Councillor Copeland of Taroom Shire Council (T106) said:

*"Off the top of my head for an average - and it's got to have extreme tolerances either way even from that. Even I would have said 30. That's for an area such as ours. We've got a big Shire but we're relatively close in. We're not as remote as many others."*

Examples of evidence on maximum tolerance from other LAs were Albert (20%), Noosa (20%), Pioneer (10% for urban, 20% for rural), Taroom (50% for very remote areas), Rockhampton (10%), Whitsunday (20%), Johnstone (10%), Mt Isa (10%), Brisbane (20%), Douglas (10%), Widgee (10%), Pine Rivers (10-15%), and Nebo (10%). Other evidence was Ms Camilleri and Mr McLoughlin (S25) (10%), Mr Kennedy (S40) (15%), Mr French (S117) (25%), Mr Harrigan (S118) (10%), Mr Garrett (S168) (10%), Mr G Copley (S255) (10%) and Mrs T McLennan (S286) (20% in rural Shires).

### **Analysis of Evidence and Arguments**

- 6.25 In dealing with the arguments in favour of some degree of weightage the Commission attaches importance to two factors.
- 6.26 First, in all Local Government elections throughout Queensland Mayors and Chairmen are elected on a pure one vote, one value basis by electors throughout the LGA. On the other hand, Aldermen and Councillors are elected on a variety of bases - from equal suffrage in undivided LGAs, one vote, one value within reasonable tolerances in most urban LGAs, and with extensive weightage in many rural LGAs.
- 6.27 The fact that Shire Chairmen are elected on a one vote, one value basis must substantially weaken the arguments of those who argue for electoral weightage. None of the consequences (for example, domination by town interests) which are predicted by those who argue for weightage seem to occur in the case of Shire Chairmen. The Commission is impressed by the fact that, notwithstanding their being elected on a completely equal suffrage basis, a substantial number of persons from rural backgrounds are elected as Chairmen of mixed urban and rural LGAs.
- 6.28 These propositions were tested with a number of witnesses in the course of the public hearings. For example, Sir James Walker (Chairman of the Longreach Shire Council since 1957) gave the following evidence (T447):

*THE CHAIRMAN: I am interested in your comments about people regarding the whole area as one. You, of course, are elected by the whole of the Shire.*

*COUNCILLOR WALKER: That's right.*

*THE CHAIRMAN: And you are elected on a one vote, one value basis in your election.*

*COUNCILLOR WALKER: Yes.*

*THE CHAIRMAN: The Chairman is elected on a one vote, one value basis. Do you detect in elections for your office any division between the townspeople and the rural people in the Shire?*

*COUNCILLOR WALKER: No, not really. Not looking back over my period.*

*THE CHAIRMAN: So you have been able to draw support from all parts?*

*COUNCILLOR WALKER: That's right. Well, not being smart, but I've never been beaten yet.*

*THE CHAIRMAN: But I suppose the point I am coming to is if you are able to survive on a one vote, one value basis as Shire Chairman and represent the interests of the Shire as a whole, why can't your fellow Councillors be elected on a one vote, one value basis? You see the point I am making?*

*COUNCILLOR WALKER: Yes. Well, I suppose they can, too."*

Evidence to similar effect was given by Livingstone Shire Council (T97-8).

- 6.29 Appendix H sets out the background of the current Chairmen of Shires who gave evidence at the public hearings. The Appendix shows that rural backgrounds predominate over other backgrounds.
- 6.30 The second factor is the phenomenon of undivided LGAs presently existing in Queensland. In those LGAs all votes have equal value. There has been no evidence before the Commission which suggests that any of the consequences which the proponents of weightage fear from equal suffrage, is occurring in undivided Shires.
- 6.31 A number of witnesses and submissions argued that weightage should be applied in favour of the rural voter because rural voters contribute more to Shire revenues by way of rates. The evidence available to the Commission (in particular the answers given by Shires to the standard questions asked by the Commission) suggests that rates are not the only source of revenue for LAs. Their revenue is obtained from a variety of sources, namely, rates, miscellaneous fees and charges, recoverable works and enterprise profits, and State and Federal Government grants.
- 6.32 In any event the Commission does not believe that financial contributions should be a relevant consideration in a democratic electoral system. They are not a relevant consideration at the Federal level nor, so far as the Commission is aware, are they a relevant consideration in the State electoral systems of other States and Territories. Further, the Commission notes that many LAs which argued for electoral weightage on this ground, just as strongly opposed any form of property franchise. The Commission sees an inherent inconsistency in these two positions.
- 6.33 A number of witnesses and submissions argued that LAs require strong rural representation (and therefore weightage) because of the importance of the road system to people living in rural areas of an LA. Those putting this argument stressed the vital importance of roads to persons living in remote areas and further stressed that Councillors from remote areas are in the best position to observe the state of the roads and bring any deficiencies to the attention of the LA concerned. Councillors Walker and Emmott of the Longreach Shire Council gave vivid evidence on this matter (T454-5):

*"COMMISSIONER HUNTER: Councillor Walker, I would just like to follow that line of reasoning about road inspections. I know that councillors make very fine overseers, and indeed they might even aspire to be very fine engineers, but in a very efficient operation I would have thought that you would have staff like foremen or overseers or even engineers whose job it would be to understand the state of the roads and to be able to report or advise in terms of budget preparation where the problems were. It might be very useful to augment that base information with complaints from councillors. Especially when that results suddenly from flood damage, for example, that sort of information is very valuable. But wouldn't you agree that the base information should be coming from staff?"*

*COUNCILLOR WALKER: I would agree with that, but added to that, I think, the country councillors, they see so much. They see washouts, as you mentioned, bush fires, a ramp breaking up, and these staff, they just can't get over every part of the Shire every week or so, and I think the country councillor has got a big job in that way of bringing to the meetings just the condition of the roads.*

*COUNCILLOR EMMOTT: Following on that one, just recently, to support Sir James, there was a grid that the flood came down over and washed a huge hole on this side of the road. It was in perfect condition. Normally the road is a fast road. I heard about it. I went through bog and God knows what not for a distance of some 25 miles, not kilometres, to put warning signs up, and if I hadn't, people could have been killed at it, and there's no possibility of any of our staff even getting to it. So those sort of instances come up, you see."*

6.34 Barcaldine Shire Council (S161) and Thuringowa City Council (T294) emphasized the importance of road construction in rural Shires and the consequent need for strong rural representation on Councils. Cr Brian Stockwell of Noosa had the following to say on the issue of roads in oral evidence (T741):

*"A lot of Local Authorities just compare road lengths, and for the purposes of Federal Government grants the Authority should have square metres of paved surface, and also that the widths and lengths of different roads in the community and that tends to equalise between urban and rural areas."*

- 6.35 The Commission recognises the importance of roads in rural areas. Roads are however equally important to persons living in rural towns because the town people support the rural community and need the roads just as much as persons living in the rural areas. For example, a Councillor whose business was to travel from the town to the rural areas would be in just as good a position to observe the state of roads as a grazier travelling to town to do business. Further, graziers may tend to concentrate unduly on the road which connects their property to the town if only for the reason that that is the road they most frequently travel on and observe.
- 6.36 In the final analysis however, the Commission considers that whilst roads are important they cannot justify excessive weightage in favour of rural areas. There are in any event other means of ensuring that roads are kept in repair. Relevant Council staff such as engineers and work gangs must, if they are discharging their duties properly, be checking the roads as well as repairing them. This is not to diminish the importance of the road inspection role of rural Councillors but that role alone cannot justify favourable treatment in an electoral system.
- 6.37 In recent years elections for all levels of government in Australia have moved towards greater equality in enrolment numbers, closer to one vote, one value in the popular expression. Permissible tolerances from the prescribed average enrolment or quota have increasingly been fixed at plus or minus 10%. This figure is used for Commonwealth elections for the House of Representatives (and consequently the Tasmanian House of Assembly), the New South Wales Legislative Assembly, the Victorian Legislative Assembly and the South Australian House of Assembly.
- 6.38 The Commission recognises that the small enrolment numbers in many Queensland rural LAs and the geographic facts of life would make so small a tolerance difficult to apply in practice and would lead to less than satisfactory solutions in such LAs. Accordingly it proposes that a 10% tolerance apply to Cities and Towns, where the small area and concentration of population allows flexibility, and to those Shires with enrolments of 10,000 or more where again population numbers and relatively smaller areas give flexibility. In other Shires, the tolerance should be 20%. Drawing electoral boundaries within, say, Redland Shire with a quota of approximately 4,000 and thus a permitted range between 3,600 and 4,400 per elected representative at 10% tolerance is much easier than in, say, Perry Shire with a quota of 34 and thus a range of 31 to 37 at a 10% tolerance.

- 6.39 It is clear that there is substantial public concern that more equal electoral divisions should be used at the first opportunity, which will be the 1991 elections. However there are serious practical obstacles to a redrawing of electoral boundaries before those elections, and especially before the statutory close of roll for those elections on 31 December 1990. The Commission has investigated the matter and concluded that it is not practicable to use the present Commonwealth roll database to produce rolls for the 1991 Local Government elections.
- 6.40 Whilst this roll is coded by the Australian Bureau of Statistics (ABS) census collectors districts (CCDs) which could be aggregated to produce Local Authority rolls, the internal electoral boundaries within those LGAs which are divided do not correspond to CCD boundaries. Coding to the existing internal boundaries would be a massive task beyond the human resources of either the Australian Electoral Commission in Queensland or the State Electoral Office (or both) in the time available. There are of the order of 500 separate divisions in Queensland Local Government. It would, of course be possible to elect every Council at large, and use the Commonwealth roll for that purpose, but such a drastic departure from past practices would not be justified by the benefits to be obtained.
- 6.41 Consequently the 1991 elections will have to be conducted using the State roll which is already coded for existing internal electoral boundaries. In submissions and oral evidence many LAs have expressed serious concern at the possibility of being required to redraw their internal boundaries pending a review of external boundaries which might render the work useless after the one election in 1991. As it is apparent that much of the responsibility and resource input for roll amendments following boundary changes will have to rest with the LAs and their Clerks in particular, the concern is understandable.
- 6.42 On the other hand, the extent of malapportionment in many LAs is so serious that it would be totally unwarranted to allow any more elections to be held when the results will so seriously breach democratic principles. The present malapportionment breaches most of the principles referred to in paragraph 1.7 above. In particular it breaches the principles of fairness, minority interests, integration, voter participation, legitimacy and responsiveness which are set out in that paragraph.
- 6.43 The Commission has sought to develop a solution which will achieve the benefits of substantially more democratic elections at the earliest opportunity, whilst causing the minimum of inconvenience to those who will have to conduct the elections. Accordingly it has identified a number of LAs with what it regards as an unacceptable extent of malapportionment and proposes specific solutions for each LGA based on existing internal boundaries and thus the coding already in place on the State roll database. The changes necessary to reduce malapportionment are made by either combining existing electoral divisions and varying the number of representatives for the resulting new set of divisions, or in the majority of cases merely varying the number of representatives elected by each division which will continue in existence. In the great majority of instances the outcomes comply fully with the proposed tolerances. In some cases one or two of the proposed divisions exceed or fall below the proposed tolerances, but, in the Commission's opinion, such departures may be allowed on this one occasion in order to avoid the costs of hasty boundary re-drawing.

- 6.44 By the following election, due under current law in 1994, each LA will have had ample opportunity to reassess its electoral arrangements in the light of legislative changes which might follow the Commission's Report and to decide how it wishes to comply with the principles that may have been given a statutory basis by then. It will also have had the opportunity to consider, at least in principle, what consequences might follow from any recommendations that come in the Commission's Stage Two Report on external boundaries, and what possible effect for internal electoral boundaries might be anticipated. The Commission is strongly of the view that each LA should have the fullest opportunity to secure a long term solution which is perceived as best by those who are closest to the electoral scene in question, provided always that this solution lies within parameters which apply throughout the State and recognise more substantially than has recently been the case fundamental democratic principles.
- 6.45 It may be that faced with the Commission's proposed solution for 1991, some LAs would wish to initiate immediately a revision of their internal electoral boundaries and/or allocations of numbers of elected representatives to achieve their own solution at the first opportunity. The Commission was made aware from evidence given to it that a number of LAs have already started preliminary steps in anticipation of possible requirements. Such action would entail acceptance of the electoral roll coding responsibilities already mentioned and would have to be commenced and quite possibly finished before the Parliament had considered any legislative changes which may follow from the Commission's Report. Accordingly the Commission could not recommend such a course be followed though it would of course be open to any LA wishing to pursue it, to approach the Minister of Local Government under existing arrangements for his approval.
- 6.46 To identify those LAs where remedial action is needed before the next election, the Commission employed a well known formula (the Dauer-Kelsay Index) used in malapportionment litigation in the United States. The essence of any representative body, whether a Parliament or a Local Government Council, is that decisions are taken by majorities, determined by voting in the body. Majorities may be relatively constant, because the body is dominated by party politics and one party or a coalition has secured a majority and its members consistently vote together; this is relatively rare in Queensland Local Government. Or majorities may be constructed afresh on each issue to be voted upon, as members bring their own independent judgments to bear on the question. What is contrary to democratic principles is when majorities in the representative body bear no relation to the extent of support in the community at large, the electorate.
- 6.47 The Dauer-Kelsay Index essentially calculates the proportion of electors required to elect a majority of representatives in a given electorate. Particulars of how the index is calculated are set out in Appendix I, pages 8 and 9. The Dauer-Kelsay Index for each LA in Queensland is set out in Appendix E.

- 6.48 To take one of the most extreme examples before the Commission, the Shire of Barcaldine elects eight Councillors and a Chairman, nine in all. Thus on any vote in the Council a majority of five would be required. However the Shire is divided into three Divisions: Number One which at 30 April 1990 contained 1,041 electors and elects three Councillors; Number Two with 119 electors which elects three Councillors; and Number Three with 44 electors which elects two Councillors. Thus the 163 electors of Divisions Two and Three can elect the five needed for a majority, even though they comprise only 13.5% of the Shire's 1,204 electors.
- 6.49 The Commission has taken 45% as the cutoff point for identifying LAs in need of immediate remedial action. Those which fall just below that line inevitably will require less change than those below, say, 33% or 25% where more substantial reallocation of representation will be needed. In the case of Barcaldine Shire, the solution requires the combination of Divisions Two and Three into a single division electing one Councillor, and an increase in the number of Councillors elected by Division One to 7.
- 6.50 Appendix I contains specific proposals for each LA with a Dauer-Kelsay Index of 45% or less. Each proposal, as mentioned above, is based on existing divisions. In the case of Caloundra and Mareeba, it will be necessary not only to merge electoral divisions but also financial divisions, if they wish to retain financial divisions.

### Recommendations

6.51 The Commission recommends that:

- (a) As soon as practicable and no later than the end of 1992, statutory provisions should require that divisional boundaries within LGAs be drawn to ensure that equal suffrage applies with a tolerance of no more than 10% from quota in the case of all Cities and Towns, and Shires with an enrolment of 10,000 or more, and no more than 20% from quota in the case of remaining Shires;
- (b) In the light of the imminence of the 1991 elections and the practical difficulties referred to above, the Commission further recommends that:
  - (i) any LA be free to submit proposals to the Minister under existing arrangements to achieve equal suffrage within the tolerances specified in paragraph (a) above;
  - (ii) the LAs identified in Appendix I with a Dauer-Kelsay index of less than 45% must forthwith either adopt the divisional and representative arrangements specified in that Appendix or submit a proposal to the Minister which otherwise satisfies the requirements of paragraph (a) above;
  - (iii) if an LA specified in Annexure I fails to secure the Minister's approval or adopt the specified arrangements by 31 December 1990, the 1991 elections for that LA should be held on an undivided basis using the currently prescribed voting system.

A reference to a "City" in these recommendations includes Brisbane.

## CHAPTER SEVEN

### DIVISIONAL ARRANGEMENTS

#### Current Situation

- 7.1 The Local Government Act 1936-90 does not prescribe divisional arrangements for Towns, Cities or Shires for electoral purposes, except that where preferential voting is used the LA must be divided into single-member divisions (Schedule 3, Rule 21A (2)).

Section 14A of the City of Brisbane Act 1924-90 provides:

- "(1) For the purposes only of the election of Aldermen (other than the Mayor), the City shall, subject to this Act, be divided into 26 electoral wards.*
- (2) One Alderman shall be returned to the Council for each such ward."*

#### Matters for Consideration

- 7.2 Currently the divisional arrangements which apply in any LGA (apart from Brisbane which is governed by its own Act) are a matter for the Local Council to decide with Governor in Council approval. There is therefore little or no correlation between type of LA (rural, urban or mixed; large or small in area or enrolment) and the divisional arrangements currently in force.
- 7.3 Some argue that, in a State as large and diverse as Queensland, this level of flexibility should be maintained. Others believe that certain divisional arrangements are appropriate for certain types of LA. For instance, small to medium LGAs (geographically and demographically) which are relatively homogeneous do not need to be divided; large urban LAs are best divided into single-member wards; and large rural Shires and/or diverse LGAs (in terms of communities of interest) should be divided into multi-member or mixed single- and multi-member divisions.
- 7.4 There is diversity of opinion in the evidence on the degree to which factors such as isolation, communication problems, the workload of individual Councillors, road lengths, geographical features and the extent to which separate communities of interest exist should be taken into account, in addition to population or enrolment numbers, in determining divisional boundaries. Arguments on this tend to be related to views on the functions of Local Government, in particular whether those functions are related primarily to provision of property services in which case population is of less importance; or to provision of property and people services, in which case population and enrolments are of greater importance.

- 7.5 The accuracy with which the population (as distinct from the enrolment) of any particular area can be ascertained is dependent on the degree of coincidence between the boundaries of the area for which a population estimate is required and the collectors districts used by the Australian Bureau of Statistics in compiling census data. (Such information is the only widely accepted population data available in Australia.)

## **The Evidence and Arguments**

### **THE CASE FOR NO DIVISIONS**

- 7.6 A number of LAs, including some which are currently divided, argued against having any divisional arrangements, on the grounds that this ensures equality of votes, ensures all Council members have the interests of the whole LGA at heart, and promotes a sense of community within the whole LGA.
- 7.7 Miriam Vale Shire Council (S194), presently a divided LA, provided the following arguments against divisions:
- (i) *decisions would, in all probability, be made on a needs basis rather than an area basis, thereby enabling better value to be obtained from the rate dollar.*
  - (ii) *to maintain a one vote, one value system, regular changes would have to be made to either divisional boundaries and/or the number of members assigned to each division, thereby creating instability and confusion.*
  - (iii) *public participation in the decision making process can be achieved in ways other than by divisional representation.*
  - (iv) *divisional representation can be more imaginary than real, especially when one considers that members do not have to reside in the division they represent.*
  - (v) *without electoral divisions, electors from the whole Shire have access to each and every member of Council thereby making all members more accountable to the electorate at large.*
  - (vi) *in a divisional situation, divisional members can be outvoted by other divisional members, thereby negating the alleged benefits of divisional representation.*
  - (vii) *divisional representation, to be truly effective, requires financial divisions. Financial divisions, due to area size, length of roads and financial capacity, would tend to inhibit economic efficiency."*
- 7.8 A number of other LAs, through their submissions and/or at hearings, put similar arguments for not dividing LGAs for electoral purposes. For instance, Kolan Shire Council (S261) wrote favourably of its experience of being undivided:

*"Kolan Shire, having discarded electoral divisions in 1985, considers the lack of electoral divisions has been very successful. It has eliminated major problems encountered with limited funds having in the past to be shared throughout the divisions, whereas now an overall Shire outlook is accorded by Members.*

*Representation is from throughout the Shire giving fair value for all voters."*

7.9 Hinchinbrook Shire Council (S305) is also undivided and does not wish to change:

*"As this Shire is undivided we cannot offer a great deal on this question other than that our system has not created problems nor do we believe disadvantaged any elector in this rural area. We have witnessed however, that problems are experienced in other areas simply by the 'division' of its people into electoral and/or financial areas. Unity of an LGA is important and in this Shire each elected member represents the interest of the whole area and his/her energies are not directed to sectional interests as can occur with divisional representation."*

7.10 The Mt Isa City Council (T239) said in oral evidence:

*"The first question which was asked was in relation to the supporting of eliminating electoral divisions. Our contention was that all votes should have the same value or voting power. We don't see a differentiation in attitude which would really support any other premise. Councillor Ginns from McKinlay, we would have to support what he was saying, that in the elections in the McKinlay area people voted according to their choice, not because they lived in either the city or even one of the other divisions."*

The abolition of divisions was supported by a number of individual submissions. For example, Ms Heathwood of Crow's Nest (S31) said:

*"internal divisional boundaries ... creates a divided community."*

## THE CASE FOR DIVISIONS

7.11 Many LAs argued for retaining divisions, as this ensures that each community of interest is represented on Council and it ensures access by electors to at least one Council member in their division. Single-member divisions were seen as more appropriate for Towns and Cities, while mixed or multi-member divisions were seen to have wider application, and as being particularly suitable to large rural LGAs. Calliope Shire Council (S95) argued for Shires to be divided for the following reasons:

*"Most if not all Shires in the State have a mix of urban and rural economies with the rural parts of the area having a much lower population density than the urban areas. In many ... Shires such as this one, one urban centre accommodates a very large proportion of the total electors. Under these circumstances, it is essential that the Shire be divided for electoral purposes as in the absence of such divisions it is conceivable and probable that the small rural vote would be fragmented amongst the rural candidates to the extent that the entire Council representation would derive from the urban centre leaving the rural areas without representation."*

*This then raises the question of how the area should be divided. Should it be divided on the basis of single member divisions or multi member divisions?*

*It is submitted that the real disadvantage with single member divisions is that in developing areas population distribution is continually changing, and so therefore would the divisional boundaries have to be continually amended to achieve balanced representation."*

*On the other hand, divisions determined on the basis of community of interest can remain fixed for many years with the number of members assigned to each Division being adjusted from time to time to meet changing population trends. This has the advantage of maintaining stable boundaries for statistical purposes and stability in Divisional mapping ...*

*Certainly this Council favours the Division of the Shire for electoral purposes with that Division being based on community of interest. This ensures that the residents of a particular part of the Shire are represented by people who understand their problems. In determining the number of candidates for each electoral Division some flexibility is necessary to have regard for valuation and area as well as the number of electors.*

*It is accepted that in a Town or City it may be appropriate to establish wards with elector numbers as the sole criteria, but this is not appropriate in many of the States Shires."*

**7.12 Redland Shire Council (S208) submitted that all LAs should have divisions, but for different reasons:**

*"It is contended that all Local Government areas should be divided into electoral divisions in order to ensure a reasonable spread of representation geographically throughout the areas. Such a system should avoid representation being concentrated within a limited geographical area.*

*Accepting that Local Government areas should be divided into electoral divisions, there are a number of models which should be considered in determining the most appropriate basis for establishing those electoral divisions.*

*The model involving the splitting of a Local Government area on the basis of purely rural and urban areas is not accepted for the reason that it largely ignores the interrelationship between rural areas and their urban service centre. It also has the potential for elected members not to be given sole responsibility for matters which affect their division. This, in turn, can lead to narrow sectional representation which may not be in the best interests of good government of the whole Local Government area.*

*An alternative model which seeks to include a 'slice' of an urban area together with rural area in each division attempts to overcome the problems of rural/urban bias identified in the last model. Despite this advantage it is submitted that this model would not be appropriate in situations such as mining towns where there is little commonality between the town residents and outlying rural residents. If the only basis for establishing divisions in accordance with this model is an arbitrary division of rural/urban combinations, rural voters may have legitimate fears at being swamped by the urban part of their division.*

*The final model involves the division of the Local Government area into electoral divisions with one member being elected for each division, and is promoted as being the most appropriate model for dividing a Local Government area into electoral divisions. This model enhances the responsibility and accountability of elected representatives and provides a fair spread of representation across the Local Government area. It also provides that the workload of elected members is more evenly shared than can be achieved by models allowing multiple numbers for each division. This system is capable of more fairly identifying the community of interest across the Local Government area.*

*In addition to these arguments for single member constituencies, it is pointed out that this system of divisional arrangements is largely identical to the electoral boundary arrangements for the Federal and Queensland State Governments.*

*It is submitted that single member electoral divisions, provided there is consistency in their make up as compared with each other, give the community in the Local Government area the fairest representation."*

In general most LAs seem to be satisfied with their current divisional arrangements.

## UNIFORM DIVISIONAL ARRANGEMENTS

- 7.13 The bulk of submissions did not support the implementation of a standard divisional system for all LAs. The diversity of Queensland, (geographically, demographically and culturally) was usually quoted as an argument against uniformity; for example Kingaroy Shire Council (S113) said:

*"It is not necessary for all L.G.As to operate under a standard divisional system. Queensland varies from very small in area, high density population Local Authorities to very large in area, low density population Local Authorities. Again, if the word 'Local' in Local Government means anything, then the system should cater for local circumstances.*

*It is not considered to be necessary for all divisions to have equal numbers. Divisions should basically be organised around a community of interest and different numbers can be used to organise more equitable representation, particularly in regard to the numbers of electors.*

*Different divisional structures among L.G.As are seen as necessary to suit local circumstances. Again the reference is to large areas with low population as against small areas with large population. The system can also be used to cater for villages or small centres of urban population in rural areas."*

- 7.14 Toowoomba City Council (S127) also argued against uniformity:

*"different Local Authorities may require differences in approach when looking at the electoral division question. It is unlikely that a universal method can be adopted State-wide;*

*on balance multi-member electoral divisions should apply in all urban Local Authorities up to a prescribed size, after which single-member divisions should apply. A similar conclusion is drawn in respect of rural Local Authorities, but is dependant upon individual physical and demographic characteristics;"*

- 7.15 The LGAQ (L60) favoured divisions but not a uniform system:

*"The point we wish to emphasize is that divisions within LGAs are the outward and visible expressions of an important political reality in very many instances; that reality is community of interest. The local communities enclosed within divisional boundaries frequently (though not invariably) have a very strong sense of their own separate identities; and this needs to be recognized and accommodated in the electoral arrangements adopted.*

To borrow an analogy from other levels of government, LGAs are mostly federal rather than unitary states; and even the 'federal states' vary between tight federations at one extreme and loose confederations at the other. The 'loose confederations' are, in general, those LGAs where financial divisions still operate.

As in most federal compacts, concessions have been made and compromises reached in the interests of maintaining 'federal' LGAs as viable and cohesive political entities. The equality of representation granted to smaller states with the larger states in the Australian Senate is a conspicuous example of electoral injustice, considered in isolation. Nevertheless, that inequality of representation was a condition precedent to creation of the Australian federal system, and no perceptive observer doubts that its retention is a necessary condition of the continuing viability of that system.

It is regrettable that some political commentators who are fully familiar with the operation of the federal principle at the national level and accept as political reality the compromises that occur at that level are nevertheless totally oblivious to the same realities when these occur at the local level. Admittedly, there is a dearth of research studies at the local level to drive this point home in Australia, but the plethora of community power studies undertaken in the USA from the mid 1920s on should at least have assisted Australian political scientists and other observers to appreciate the nature of local political processes and compromises.

This is not to defend the gross instances of malapportionment that have developed in some LGAs, but it is offered as justification for retaining divisional arrangements in principle, and for retaining as wide a diversity of arrangements as is needed to match diverse local circumstances." (emphasis in original).

#### 7.16 The National Party (T704) argued against a uniform divisional system.

"The 1928 Royal Commission on Local Authority Boundaries defined Community of Interests as districts in which the interests of the people therein are similar socially, industrially and commercially. If there are to be marked differences in the size of local authorities, both in area and population, and differences in ethnic composition, commonality of interest, population density, occupation, land use, and a whole range of healthy and other distinctive local characteristics, why should uniformity be deemed to be a desirable character as was also suggested in so many of the submissions. Any uniform system is insensitive to regional differences; to cultural diversity; and is totally incompatible with multi-cultural diverse and healthy democracy. It would be wrong to put forward a system of uniformity when the size, physical features, road network, major centres and community of interests of Local Government vary so greatly from one end of the state to the other."

#### 7.17 On the other hand, the Australian Democrats argued for uniform multi-member divisions (T720):

"The Democrats support the view that Local Government Authorities should be elected 'at large', that is, as a single multi-member division. Elections 'at large' give significant minorities, for instance Aborigines, their best chance of obtaining representation, particularly if that minority is not located in a narrow geographical area. We're concerned with this view, that all the people who live in a particular area have this so-called similarity of interest or that they each have the same values.

*We would argue that in the 1990s we have become a far more cosmopolitan State, that with mobility there is a lot of transition of people and you can't go into a particular street in Brisbane or maybe even into a town out west and find that the people next door really do have the same set of values and attitudes and would vote along similar lines. If you look at, say, Great Britain which is using the first past the post system, a party like the Social Democrats could gain, for instance, up to nearly 30 per cent of the vote nationally, but could only attract a very small number of seats because their supporters were disseminated through the community as a whole and not confined to small localised areas.*

*We would argue for one division in which it would be multi-member electorate then, in which, say between 5 and 9 people to be elected and those groups in the community that have a significant support, minority maybe, but certainly significant, would gain some type of representation.*

7.18 As already noted at paragraph 5.29 above, the Australian Labor Party proposed single-member divisions in LAs with enrolments of 2000 or more and the remaining LAs to be undivided.

### **Analysis of Evidence and Arguments**

7.19 The Commission considers that there should be an appropriate degree of flexibility in relation to divisional arrangements in LAs in Queensland. The Commission has concluded (see Chapter 5 above) that there should also be an appropriate degree of flexibility in voting systems. Similar considerations apply in relation to divisional arrangements. Provided the principles recommended in Chapter 6 are observed, the Commission sees no good reason why LAs in Queensland should be forced to adopt uniform divisional arrangements.

7.20 The evidence available to the Commission disclosed a wide variety of divisional arrangements, many of which go back beyond the turn of the century (for example, Carpentaria Shire Council's divisions have remained substantially intact since 1897 (T220)). There are considerable differences in the circumstances of LAs. Brisbane with its large urban population utilises single member divisions. Other LAs utilise either single-member divisions, multi-member divisions, mixed divisions or are undivided. Particulars of these divisional arrangements are set out in Appendix E.

7.21 The Commission believes that in most cases this diversity is a reflection of demographic and historical factors. In the Commission's view there is no difference in terms of electoral fairness between the different types of divisional arrangements per se. Divisional arrangements only become a cause for concern if, by omission or conscious design, they become a vehicle for malapportionment. The Commission does not consider it wise to impose arbitrary divisional arrangements on LAs without good reason. The evidence does not disclose any such reason. The proponents of more uniform arrangements (principally the Australian Labor Party and the Australian Democrats) fail to attach sufficient importance to the variety of circumstances in LAs and the need for autonomy at Local Government level.

7.22 The Commission considers the present variety of divisional arrangements is appropriate, provided the principles set out in Chapters 5 and 6 of this Report are observed. The divisional arrangements, other than where change is specifically recommended, may therefore continue for the 1991 elections. Some current divisional arrangements may need to be modified in the light of the Commission's external boundaries review.

7.23 There must, however, be scope for change within reasonable limits if the majority of electors approve. LAs should be able to adopt any of the following basic divisional arrangements:

- . undivided;
- . single-member divisions;
- . mixed divisions (multi-member or single- and multi-member).

The vehicle for changes to existing divisions should be a poll of electors on the question, initiated by the Council itself or by a petition of 10% of electors.

#### **Recommendations**

7.24 The Commission recommends, subject to its recommendations in Chapters 5 and 6:

- (a) existing divisional arrangements in LAs should continue for the 1991 elections;
- (b) thereafter, LAs may either continue current arrangements or adopt any one of the following divisional arrangements:
  - (i) undivided;
  - (ii) single-member divisions;
  - (iii) mixed divisions: multi-member or single- and multi-member,

provided such an adoption is approved by a majority of electors in the LGA at a poll on the issue, initiated by the Council itself or by a petition of at least 10% of electors.

## CHAPTER EIGHT

### METHOD OF CHANGING DIVISIONAL BOUNDARIES

#### Current Situation

8.1 Under Section 5(1)(ii) of the Local Government Act 1936-90, the Governor in Council has the following powers in relation to divisional boundaries:

*"The Governor in Council may by Order in Council ...*

- (d) Divide a Shire into divisions;*
- (e) Redivide a Shire into divisions;*
- (f) Abolish the divisions of a Shire ...;*
- (h) Alter the boundaries of divisions by including in one division part or parts of another division and by excluding such part or parts from such other divisions;*
- (i) Divide or redivide a Town or Shire into divisions for the purposes of Part IV only of this Act ..."*

8.2 Section 5(1)(iii) to (vii) contains provisions for giving notice of proposals for change, public inspection of proposals and objections.

8.3 Section 53(1) of the Local Government Act 1936-90 gives the Minister the power to direct LAs to conduct a poll of electors of the area, a division or several divisions regarding:

- abolition of all divisions;
- alteration of divisional boundaries; or
- any other question relating to Local Government on which the Minister requires the opinion of electors or on which 10% of electors of the division or area have petitioned for an expression of opinion.

8.4 Section 14 of the City of Brisbane Act 1924-90 provides that:

*"(1) For the purposes only of the election of Aldermen (other than the Mayor), the City shall, subject to this Act, be divided into 26 electoral wards...*

*(3) The City shall be and is hereby divided into two Zones of representation as follows, that is to say:-*

*The North Brisbane Zone which shall comprise that portion of the City the boundaries whereof are set forth in Part I of Schedule II;*

*The South Brisbane Zone which shall comprise that portion of the City more particularly described in Part II of Schedule II.*

- (4) *The North Brisbane Zone shall be divided into 13 electoral wards.*
- (5) *The South Brisbane Zone shall be divided into 13 electoral wards ...*
- (7) *After the completion of the distribution under subsection (6) one or both of the Zones prescribed by this section may, subject to this Act, respectively be completely or partially redistributed from time to time but any such complete or partial redistribution shall in respect of a particular Zone be so made that such Zone shall at all times be and remain divided into the number of electoral wards prescribed therefor by this section."*

8.5 This Section of the Act also set the procedures for the distribution of electoral wards which was carried out in 1984 by three Electoral Commissioners appointed by the Governor in Council. Section 14D (1) provided that the distribution:

*"shall be made on the basis approximately of a quota of electors as provided by this section."*

and Section 14D (5) provides that:

*"The Commissioners may adopt a margin of allowance to be used whenever necessary, but the quota shall not, in respect of any electoral ward, be departed from to a greater extent than one-fifth more or one-fifth less."*

8.6 Any subsequent redistribution of electoral wards is to be conducted by three Electoral Commissioners appointed by the Governor in Council, taking into account matters listed in Section 14E (1):

- (a) *community or diversity of interest;*
- (b) *means of communication;*
- (c) *physical features;*
- (d) *density of population;*
- (e) *demographic trends;*
- (f) *developmental trends;"*

8.7 Section 14F provides for redistributions when tolerances are exceeded. Sections 14M and N provide for a public notification and objection process.

### **Matters for Consideration**

8.8 Under the Local Government Act 1936-90, there is no compulsion for LAs to review or revise divisional boundaries. This is in contrast to the City of Brisbane Act 1924-90 which sets quotas for elector population for each ward, a 20% tolerance between the elector population of each ward and the procedure for redistribution if that tolerance is exceeded.

8.9 In practice any change to divisional boundaries under the Local Government Act is usually initiated by LAs; there are no specific provisions enabling electors of an LA to initiate such change.

8.10 Applications for change to divisional boundaries are considered by the Department of Housing and Local Government. In assessing each application, the Department considers:

- . whether the applicant LA unanimously supports the proposal;
- . the opinions of all MLAs whose electorates include part of the relevant LGA;
- . factors including the number of electors in each proposed division, their area (except in small or closely settled LGAs) and valuation. This information is used to indicate appropriate assignment of members.

8.11 The Department prepares a report for the Minister's consideration; the Minister then determines whether to recommend to the Governor in Council to proceed with a notice of intention to change divisional boundaries. The Minister's power under Section 53(1) to direct that a poll of electors be taken to gauge public opinion on proposed changes has rarely if ever been exercised.

8.12 Electors have 30 days from date of Gazettal of the notice of intention to lodge objections to the proposed changes. All objections, along with the views of the applicant Local Authority, are considered by Cabinet which decides whether to recommend the proposed changes for Governor in Council approval.

8.13 The power to change divisional boundaries rests with the Governor in Council in the case of LAs other than the Brisbane City Council. The assignment of members to each division is not advertised and is solely at the discretion of the Governor in Council.

8.14 Since 1985, this procedure for changing divisional boundaries has been used on 30 occasions by 26 LAs. Four of these LAs have recently lodged applications for further divisional boundary change. In contrast, a large number of LAs have not altered divisional boundaries for many years, some not since they were originally fixed late last century. Changes in population and population distribution in such LAs have led to situations where a vote in one division is worth many times the vote in another, and a minority of voters elects a majority of representatives.

### **The Evidence and Arguments**

8.15 A large number of submissions contained proposals to place the responsibility for changing divisional boundaries of all Local Authorities with an independent body; for example Kingaroy Shire Council (S113) said:

*"The Council believes that the system should be changed and proposes the system now being advocated by the Local Government Association of Queensland (Inc.). The system is that a committee should be established to examine proposals for internal and external boundary alterations, to advise the Minister as to whether a prima facie case exists for further action to be taken on a proposal, and if so, then a fuller investigation be carried out, using the following mechanism:-*

*(i) The advisory committee, of three persons, be considered as a tribunal. Alternatively the tribunal should consist of people with similar background.*

- (ii) *The tribunal operate as a public inquiry with opportunity for full input from all interested persons.*
- (iii) *The tribunal recommends to the Minister what action is considered appropriate.*
- (iv) *The tribunal may include in its recommendation the conducting of a poll of residents in the areas involved if the circumstances warranted a further determination of public opinion on the proposal.*
- (v) *If the proposal involves an amalgamation of one local authority with another, it shall be necessary for the majority of electors in both Councils to agree to the amalgamation.*

*The above system would allow for full public debate and consideration of the wishes of all interested and/or affected parties."*

8.16 Some suggested the process whereby a review would be required, for instance after a particular number of years or terms, as for example, Johnstone Shire Council (S297):

*"Boundaries should be reviewed every three years. This review should be undertaken earlier should tolerances referred to previously be exceeded. These reviews should also be able to be imposed on L.G.A.s and the initiative should not be required to come from the L.G.A.s themselves or the L.G.A.'s resident population."*

8.17 Others proposed that reviews should occur on request of an LA, following the initiative of a percentage of electors; for example, Ilfracombe Shire Council (S289):

*"Council believe an independent body should be established to publicly investigate and report on divisional boundaries upon representation from 20% of the eligible voters in the Shire. It would also be desirable for such a body to have final responsibility for such decisions."*

Others proposed that review should occur once a percentage tolerance between divisional populations has been exceeded; suggestions for levels of tolerance between the elector populations of divisions range from 5% to 30%.

8.18 Those few submissions which supported continuation of the current method of changing divisional boundaries did so on grounds such as that LAs can be relied on to initiate boundary adjustment themselves so change to the current system is unnecessary, for example Esk Shire Council (S87) said:

*"It is suggested that, in the majority of cases, the Council of a Local Authority would, under community pressure, eventually of its own accord change its internal divisional boundaries for electoral purposes. On the other hand, cases do exist where, because of the principal of 'majority rule' in the decision making process, the most appropriate decision is often not made.*

*This Council is of the opinion that basically the status quo should be retained, with the Governor in Council on the advice of the Government of the day changing internal boundaries on the recommendation of the Local Authority. However, it is felt that where the Government through the appropriate Minister, perhaps on representations made to him by the constituency, is of the opinion that a fair system of apportionment of electoral boundaries is not in place, and when the relative Local Authority refuses to adjust such boundaries, the State Government must retain the right to 'step in'. In such cases it is agreed, input should be sought from the community with the final decision resting with the Governor in Council through the appropriate Minister."*

8.19 Crow's Nest Shire Council (S108) proposed regular reviews using current procedures:

*"Council considers that divisional boundaries should be reviewed prior to each Local Government election to determine if any changes are required. If an alteration is required, then Council considers that the current provisions of the Local Government Act regarding public advertising of intention and calling for objections should continue to apply."*

### **Analysis of the Evidence and Arguments**

- 8.20 The Commission considers that there are compelling reasons for establishing an independent body to supervise electoral and divisional processes in LAs in Queensland. It is clear from the evidence that a substantial reason for current malapportionment is the lack of any systematic and objective review of these matters over the years. Whilst there was some suggestion in the evidence (Paroo Shire Council, T57) that certain changes to divisions and voting systems have been motivated by political advantage, the great bulk of malapportionment has occurred simply because no reviews have ever taken place.
- 8.21 In short, the current system of ad hoc Ministerial review at the instigation of the LA has been singularly unsuccessful and should not continue.
- 8.22 In all other States of the Commonwealth, boundaries commissions have been established to review both internal and external boundaries of LGAs. Continuation of the present processes of executive/ministerial control will run the risk that history will be repeated.
- 8.23 Independent review is essential to the integrity of electoral systems. As long as politicians are involved in the day to day decisions on these matters there will always be the suspicion that decisions are politically motivated.
- 8.24 However, in order to effect the minimum changes required before the 1991 elections, it will be necessary to continue with the current process of Governor in Council approval for the divisional changes recommended in this Report. The Commission considers it would not be practical to pass the necessary legislation to establish new review processes before the next election.
- 8.25 The Commission proposes to develop recommendations, in the course of its external boundaries review, for a new independent review body to deal with both divisional and external boundary issues. The new body will need to possess the following characteristics:
- . open processes with public participation;
  - . prompt response to requests for review;
  - . use of objective and acceptable distribution principles.

**Recommendations**

- 8.26 The Commission recommends that, pending the outcome of its external boundaries review, the current provisions for changing divisional boundaries continue.**

## CHAPTER NINE

### COMPULSORY VOTING

#### Current Situation

- 9.1 Schedule 3, Rule 49(1) of the Local Government Act 1936-90 provides that:

*"It shall be the duty of every elector enrolled on the voters' roll for an Area or division to vote at each and every election held for that Area or division."*

- 9.2 Subrule (11) provides that:

*"Every elector who-*

- (a) *Fails to vote at any election without a valid and sufficient excuse for such failure (in this rule the words 'valid and sufficient excuse' shall include an honest belief on the part of an elector that abstention from voting is part of his religious duty); or*
- (b) *On receipt of the notice aforesaid, fails to fill up and sign and post or deliver to the Returning Officer so as to reach him within the time allowed pursuant to this rule the form at the foot of the notice; or*
- (c) *States in such form a false reason for not having recorded his vote or in the case of an elector filling up or purporting to fill up a form on behalf of any other elector pursuant to this rule states in such form a false reason why the other elector did not vote,*

*shall for each such offence be liable to a penalty of not more than ten dollars, and proceedings for the enforcement in a summary way under 'The Justices Acts, 1886 to 1958,' of the penalty may be instituted by the Local Authority or by some person authorised in writing (whether generally or in any particular case) by the Local Authority."*

- 9.3 Subrule 2(b) provides that subrules (3) to (14), which set out in detail the procedure for pursuing non-voters, only have application if the Local Authority so directs at its first meeting after a triennial or other full Council election.
- 9.4 The Penalty Units Act 1985-88 provides that any penalty in an Act, Regulation or Rule expressed in terms of money is to be construed as a penalty in terms of penalty units. As a result, the penalty for not voting is one penalty unit which is currently \$60.

#### Matters for Consideration

- 9.5 Voting in Local Authority elections is compulsory in Queensland, unlike other States. The main argument against voluntary voting is the low voter turnout which generally seems to apply. Voter turnout as low as 5% of eligible electors has been recorded at individual LA elections in States where voting is not compulsory.

- 9.6 Voter turnout for Local Government elections in Queensland has not been exhaustively researched for this Report, but usually exceeds 80% overall. A voluntary voting system would be likely to significantly reduce this figure.
- 9.7 Voting in State and Federal elections in Australia is compulsory. Some argue that, if voting in Local Government elections is not compulsory, such elections are by implication seen to be less important than other elections, and only those most interested in or concerned with local issues would cast a vote.

### **The Evidence and Arguments**

- 9.8 Most submissions saw no reason to change the current provisions in regard to compulsory voting. The main arguments put for this position were that compulsory voting ensures a high voter turnout, that it prevents unrepresentative minority interests from gaining disproportionate power in LAs, and that it is consistent with State and Federal electoral practice. Atherton Shire Council (S284) expressed concern about the probable effects of voluntary voting:

*"Studies of voting systems where voting is not compulsory indicate that less than 50% of people vote, which could lead to minority well organized lobby groups gaining control of a Local Authority area which may not be in the best interests of the Local Authority area as a whole."*

- 9.9 Esk Shire Council's submission (S87) said:

*"... experience in the conduct of elections would suggest that when people are forced to vote, the majority do give some level of thought before placing a mark on the ballot paper. For this reason, compulsory voting must be retained in order to prevent small pressure groups from having undue influence in the decision making process, and also to overcome the general apathy of the electorate."*

*The removal of compulsory voting, whilst not being seen as catastrophic, would place Local Government out of step with the other spheres of Government, and it is suggested that to encourage apathy is not the correct course to take."*

- 9.10 Those submissions which supported voluntary voting argued that this would excuse uninformed and apathetic voters from voting, and eliminate the need for any penalties for non-voting. For example, Cairns Civic Association (S292) made the following comments:

*"Voting should not be compulsory in Local Authority elections. Compulsory voting encourages the 'Donkey Vote' simply to avoid the fine for non-voting. On the other hand if it is the interested person who votes surely the result is more reflective of the informed person in the Local Government area. It is the responsibility of both council and candidates to ensure local issues are canvassed widely thus retaining a satisfactory interest level."*

- 9.11 Diamantina Shire Council (S49) was one of the relatively few LAs to support voluntary voting:

*"Voting should not be compulsory. It is especially important that in Local Government elections when there are small numbers of voters that those who do vote have an interest in the election."*

Similar views were expressed by Cloncurry Shire Council (S71 and T227).

- 9.12 Some submissions raised the issue of increasing penalties for non-voting; for instance, the LGAQ (S191) proposed that fines for not voting be raised from \$10 to \$50 as the current level of fine does not cover the costs of pursuing non-voters.
- 9.13 There was evidence before the Commission which indicated that many Councils have a conscious policy of not prosecuting non-voters. See in this respect Brisbane City (T602), Redland Shire (T664), Charters Towers (T263), Atherton Shire (T380), and Mulgrave Shire (T424). The common reason for this policy was that prosecutions were not cost-effective, that is, the cost of the prosecution was greater than the fine imposed. Another reason given was the new Councils, gratified by their success at the recent election, were reluctant to prosecute non voters. See for example Mulgrave Shire Council (T424). Important evidence on the difficulties in enforcing the law was given by Logan City Council (T678-9):

*"... to emphasise the ridiculous situation that that follow-up procedure places on the administrative arrangements of the Council in pursuing those non-voters. The sheer bureaucracy that goes into marking of rolls, to sending out requests for excuses and then trying to decide whether those excuses are real or concocted, then sending out a further notice and then waiting another two months to see whether they are going to respond to the \$10 penalty and then proceeding by summons after that. The whole process, we are up to more than the six month mark after the election when a report was put to Council - and we've given you some statistics there - showing that we started out with non-voters numbering about 15,000. We received in the first communication some 11,000 which we weeded out as being not worth following up. They had been returned to sender or found to be no longer living there or had provided some sort of valid excuse.*

*We then came down to a second notice which is the one that goes out saying, 'You have been determined to have not voted. You may have it dealt with out of court and pay \$10 if you return this form, otherwise we will proceed by court action.' At the end of the period allowed for the return of that notice, of the 4,500 we sent out, still half had not been responded to. About 800 had been paid. Another 1,000 had been returned unclaimed, which was interesting seeing that the first lot that had been sent weren't. Another 500 had communicated with us in some form. We had spent \$25,000 and received about \$8,000 in fines."*

- 9.14 A number of submissions proposed that attendance at a polling booth remain compulsory but that voting be optional; for example, the Australian Democrats (T717-718) proposed:

*"that registration on the electoral roll and attendance at the polling booth on election day be compulsory ... This ... confirms what is, in fact, current practice and provides a balance between responsibilities and privileges we have as members of a democratic society.*

*On the one hand Democrats believe that all citizens ought to take their responsibilities seriously and make the effort to go and vote, but on the other hand we do have some problems with compulsion, so we felt that this might be a satisfactory compromise."*

- 9.15 Some submissions proposed that a means of recording disapproval of all candidates should be made available; for example, Citizens for Democracy (S367) said:

*"Citizens For Democracy advocates compulsory voting, and understands a person can fulfil their legal obligation by submitting an invalid vote.*

*However there are cases when a voter may wish to register validly that he/she does not approve of any candidate. This could occur particularly when there is a limited choice of candidates, for example two. In such a case a total of dissenting votes would be a useful statistic of some political impact."*

- 9.16 Specific suggestions in this regard were contained in a number of submissions including that of Mr Nightingale (S363):

*"I suggest a 'none of the above' box on ballot papers for the disenchanted. In this way voters do not have to register a vote for any of the candidates and this has a greater impact than optional voting."*

Similar suggestions were made by Mr Maddern of Carindale (S22), Mr Bryan of Cairns (S94) and Mr Day of Toowong (S103).

#### **Analysis of Evidence and Arguments**

- 9.17 Compulsory voting at Local Government elections has been the practice in Queensland since 1920. However, the compulsion is to attend the polling booth and once there electors can in practice vote formally or informally.
- 9.18 Advocates of voluntary voting argue that compulsory voting infringes civil liberties and compels persons to vote when they do not wish to vote for or rank some or all of the nominated candidates.
- 9.19 However, the Commission believes that there is likely to be a significant reduction in voter turnout should voluntary voting be introduced as happens in other States where voting is voluntary. It should also be borne in mind that in some other States, part-Council elections are held more frequently than in Queensland. More frequent voting strengthens the case for voluntary voting, but in Queensland electors only have to vote on a fixed day every three years.
- 9.20 Compulsory voting has been a longstanding practice and is widely supported. The Commission sees no compelling reason to change current practice. There are many compulsory responsibilities in modern democracies, for example, payment of taxes, undertaking of basic education, jury service and the registration of births, deaths and marriages.

- 9.21 As to increasing the fine for non-voting, the Commission considers that many LAs may be under a misapprehension as to the amount of the current fine. As indicated in paragraph 9.4 above, the Penalty Unit Act 1985-88 currently deems the maximum penalty to be one penalty unit (currently \$60.00) and not \$10.00 as is generally believed. In any event, the penalty for non-compliance should be the same as for State elections. That penalty is also one penalty unit (\$60.00).
- 9.22 The Commission considers that it would be inappropriate to provide for "non-approval" squares on ballot papers. The purpose of compulsory voting is to endeavour to ensure that citizens participate in the democratic process. Options of the kind suggested run counter to that goal.

### **Recommendations**

- 9.23 The Commission recommends that compulsory voting continue in Local Government elections, and that the penalty for non voting remain at one penalty unit (currently \$60.00).

## CHAPTER TEN

### ELECTION OF MAYOR/CHAIRMAN

#### Current Situation

- 10.1 Section 7(5) of the Local Government Act 1936-90 provides that:

*"The Chairman shall be elected by the electors of the Area."*

The term "Chairman", by definition in Section 3, is inclusive of Mayor of a Town or City and Chairman of a Shire. The City of Brisbane Act 1924-90 provides in Section 13 that:

*"The Mayor shall be elected by the whole of the electors of the City ..."*

#### Matters for Consideration

- 10.2 Under both the Local Government Act 1936-90 and the City of Brisbane Act 1924-90, the Mayor or Chairman is elected directly by all voters in the LGA. This has not always been the case. Between 1972 and 1984, the Mayor of Brisbane was elected by the Aldermen. In 1978 the Local Government Act was changed to provide for the selective application of a rule for appointment of Mayor or Chairman by Council members and for his/her removal by the same process. This discrimination was imposed by Order in Council and was made to apply only to a few LAs, Gold Coast City and Logan Shire (as it then was) being the most conspicuous examples. This selective power was revoked in 1984.
- 10.3 Arguably Mayors/Chairmen elected by popular vote are more likely to devote their energies to the whole LGA rather than to a particular division. Conversely, it is argued that the election of Mayors/Chairmen by all Council members would be more consistent with Commonwealth and State practice whereby members of Parliament choose their leaders.
- 10.4 Power of recall of the Mayor/Chairman is not possible under the current legislation. Power of recall by petition of electors or vote of Council members could provide a mechanism for replacing an incompetent or unpopular Mayor/Chairman, but this may lead to instability unless safeguards against misuse of this power are in place.

#### The Evidence and Arguments

- 10.5 The great bulk of submissions supported the retention of the current system of direct election of Mayor/Chairman. Those who argued for retention of the current provisions did so on the grounds that it enables the Mayor/Chairman to concentrate on matters which affect the whole LGA, ensures that the office holder represents the whole LGA and avoids the potential problems of the Mayor/Chairman having dual responsibility for a division and the whole LGA. Esk Shire Council (S87) argued for the direct election of Mayor/Chairman in the following terms:

*"It could perhaps be said that the election of Mayor or Chairman at large by the constituency is a double-check in the electoral process. A Mayor or Chairman elected at large should hold no allegiance to any particular portion of a Local Authority area, should have an allegiance to all electors notwithstanding their location, and should generally see issues from perhaps a higher perspective. The current system which gives very little additional powers to the Mayor or Chairman over and above those enjoyed by an ordinary Alderman or Councillor requires such a person to strive for and quickly attain the respect of the council, otherwise his leadership role will not be attained."*

- 10.6 The views of the Gold Coast City Council on this issue were important because of their recent experience of both direct and indirect election of Mayors. The following comments were made in the Council's submission (S116):

*"The existing procedure of City-wide vote means that electors throughout the City have two elected representatives, their Ward Alderman and the Mayor. Popular vote for the Mayor engenders a feeling of greater relationship with and right of access to the Mayor. Election of the Mayor by Aldermen would remove that feeling, and replace it with the suspicion (not necessarily justified) by the residents at large that the Mayor's first concern was with his own Ward."*

*Gold Coast City Council has experienced both City-wide election of the Mayor and election of the Mayor by Aldermen from amongst their number. It is conceded that there was difficulty some fifteen years ago when a strong-willed popularly elected Mayor was unable to relate with a majority of Aldermen. However the remedy was with Aldermen to pass resolutions curtailing the then Mayor's activity. Far more unsatisfactory was the alternative situation when the Aldermen elected the Mayor. The Mayor of the time continued to survive on his own casting vote, and thus was placed in the invidious position of never being able to displease any of his Aldermanic supporters, lest he lose his position. That situation was unfair to the Mayor of the time, and was not in the best interests of the electors and residents of the City."*

*City-wide election of the Mayor does place the Mayor in a position where he or she can take a wider view on some issues than Ward Alderman, can adopt a more statesmanlike approach if necessary, and truly can be said to represent the whole City. In Councils without formal political party teams, he or she also comes to the post unencumbered by owing favours to other Aldermen."*

- 10.7 The Chairman of Moreton Shire Council supported direct election of Mayor/Chairman from a different perspective. At T619 he said:

*"If ... this Council was in the position where they could change the Chairman every meeting because they did not like his stand on a particular controversial issue of the day, the whole standing of the Local Government and everything else would come crashing down. There would be no strong representation anywhere because you are here today, gone tomorrow, simply because in one strong controversial issue you upset a sufficient number of your Aldermen or Councillors for them to want to change you over overnight. It is just human nature. But I strongly believe that it would be a really retrograde step to do anything but elect a Chairman 'at large'. After all, I cannot tell you what is more democratic than giving everybody within the Local Authority area the chance to say who they want to head that Council or City, or whatever it is."*

- 10.8 Those who would prefer the Mayor/Chairman to be elected by the Council members argued that this reduces the possibility of the incumbent having to work with a hostile Council and eliminates the current situation where candidates must choose between standing as Mayor/Chairman or ordinary member of Council.
- 10.9 The Civic Independent Group of Rockhampton (S258) put a detailed argument for indirect election of Mayor/Chairman in its submission:

*"The benefit of this proposal is that it would virtually eliminate the possibility of a Mayor or Chairman being forced to work with a 'hostile' Council. It also enables sitting Aldermen to be considered for the position of Mayor without running the risk of losing their seat on Council. The Group strongly feels that the present system unfairly advantages the incumbent Mayor or Chairman.*

*The present system discriminates against sitting Aldermen who may wish to contest the Mayor by forcing them to choose between remaining an Alderman or running the risk of losing in the election for Mayor or Chairman and thus playing no part in Council for the succeeding three (3) years. It is important that a system operates which enables an incumbent Mayor or Chairman who does not enjoy popular support to be voted out of office. With the present system favouring so strongly the incumbent Mayor or Chairman, it is often very difficult to find a person prepared to stand against the Mayor or Chairman in the contest for that position. The Group would submit that the existing system is not consistent with the concepts of accountability and response to the electors which was considered by the Fitzgerald Royal Commission to be an essential element of the political process.*

*In addition, the election of the Mayor or Chairman indirectly by elected Aldermen would make the Local Government system consistent with the State and Federal system. As well, it would mean that should a Mayor or Chairman vacate his office, then there would be no need for an election but the Aldermen would then elect a new Mayor or Chairman from amongst their number. This would have a substantial saving in the cost of holding an election should the vacancy occur within two (2) years after the Mayor's election.*

*The proposals supported by the Civic Independent Group would bring Queensland into line with the majority of other Australian States."*

- 10.10 Some submissions raised the issue of power of recall of the Mayor/Chairman. Examples are Mr J B Greenwood of Croydon (S173) and Widgee Shire Council (S128 and T15).

### **Analysis of Evidence and Arguments**

- 10.11 The Commission found widespread support from LAs to retain the direct election of Mayor/Chairman. While there were some historical problems in cities such as Brisbane, Logan and Gold Coast, these problems seem very much in the past.
- 10.12 The Commission accepts that the direct election of the Mayor/Chairman assists in giving the Mayor/Chairman a strong Chief Executive role and thus an overview of Council matters. This allows Aldermen/Councillors to address divisional or local concerns.

- 10.13 Despite the arguments that Council-appointed Mayors/Chairmen can better work in harmony with the members, experience also shows cases where instability can result from power struggles, resulting in repeated demotions and replacements of Mayor/Chairman.
- 10.14 While the direct election of Mayor/Chairman may produce the problem of discouraging talented Aldermen/Councillors from standing for Mayor/Chairman (for fear of losing), this disadvantage is not sufficient to outweigh the advantages.
- 10.15 The Commission does not support the power of recalling elected officials. Section 9 of The Local Government Act 1936-90 makes provision for ouster of elected officials. This process, in addition to the prospect of being defeated at the next election, is a sufficient discipline on elected representatives. Recall procedures risk greater instability, as well as making it more difficult for representatives to make decisions which are initially unpopular but are in the long term interests of electors.

#### **Recommendations**

- 10.16 The Commission recommends that the direct election of Mayor/Chairman continue.

## CHAPTER ELEVEN

### METHOD OF FILLING COUNCIL VACANCIES

#### Current Situation

- 11.1 Section 7(10) of Local Government Act 1936-90 sets out the procedures to be followed in filling a casual vacancy in office of member, Chairman or Mayor of a Council:

*"(i) Vacancy. Save as hereinafter provided, when any vacancy arises in the office of member or Chairman other than the Chairman of a Town in the case provided in paragraph (ii) of this subsection, the Local Authority shall, at a special meeting called for the purpose, within two weeks in the case of a Town and within one month in the case of a Shire of the occurrence of the vacancy, appoint a qualified person to be member or Chairman, as the case may be, in his stead.*

*If after the expiration of the time allowed as aforesaid for the filling of any vacancy, no member or Chairman, as the case may be, is appointed to fill the vacancy, the Governor in Council may appoint a qualified person to fill such vacancy:*

*Provided that before the expiration of such time, on the request in writing under their hands of an absolute majority of the members so to do, the Governor in Council may appoint a qualified person to fill such vacancy.*

*A person elected or appointed to fill any vacancy shall, subject to this Act, hold office for the remainder of the period for which his predecessor was elected or appointed.*

*The term 'qualified person' in this paragraph (i) means a person who resides within the Area, and who is enrolled on a general roll pursuant to the Elections Act for the electoral district or districts or any part thereof comprised within the Area not later than 30 clear days before the date of the special meeting at which the vacancy is to be filled or the date of appointment by the Governor in Council, as the case may be.*

*(ii) Election of Chairman. In the case of a Town, when a vacancy arises in the office of Chairman within two years after his election thereto, an election shall be held to fill the vacancy.*

*The election shall be held on a Saturday to be appointed by the Returning Officer, within two months after the occurrence of the vacancy.*

*(iii) If a sitting member is elected or appointed to be Chairman as hereinbefore in this subsection provided to fill a vacancy, he shall forthwith be deemed to have vacated his office as member, whereupon a vacancy in that office shall arise."*

- 11.2 Section 18 of the City of Brisbane Act 1924-90 sets out procedures for the filling of casual vacancies on Brisbane City Council:

*"(1) If the Mayor or another Alderman resigns or his office is otherwise vacated before the conclusion of the triennial election of the Mayor and other Aldermen next held after his election or appointment to office the Governor in Council shall by Order in Council determine whether or not the vacancy shall be filled.*

(2) *In determining the matter referred to in subsection (1) the Governor in Council shall have regard to -*

- (a) *the period between the date when a separate election for filling the vacancy could be held and the date of the triennial election of the Mayor and other Aldermen to be next held;*
- (b) *the practicability of preparing the electoral roll for and of conducting the separate election and the costs thereof having regard to the period referred to in paragraph (a).*

(3) *Where the Governor in Council determines that a vacancy shall be filled, the separate election for filling the vacancy shall be held on a Saturday, to be appointed by the chief Returning Officer, which shall be within two months after the occurrence of the vacancy."*

### **Matters for Consideration**

- 11.3 The main criticism of filling Council vacancies by appointment, in the absence of any guidelines or other means of regulating such appointments, is that this practice is perceived as undemocratic and potentially allows the strongest group within a Council to increase its own numbers on Council without regard to the wishes of the electors.
- 11.4 One solution to this problem would be to hold by-elections for every vacancy, or for every vacancy which occurs within a prescribed proportion of a Council term. However this may, in some cases, cause a considerable drain on Council resources, both financial and human, if a number of vacancies occurred within a single term.
- 11.5 An alternative solution would be to prescribe fair and objective procedures for appointments. Depending on the voting system in use, various procedures based on using the results of the previous election are possible. For instance, the unsuccessful candidate who received the highest number of votes in a first past the post election and who is willing to accept the appointment, could be appointed. If preferential voting or PR are used, the votes of the vacating member could be redistributed to decide the next most popular choice.

### **The Evidence and Arguments**

- 11.6 Submissions generally do not appear to support continuation of the current differences in method of filling council vacancies in Towns/Cities and Shires, for example, Boonah Shire Council (S129) stated:

*"All vacancies occurring during the term of a Council should be filled in a uniform way throughout all LGA's in the State. There is no justification to differentiate between cities and shires. When a vacancy occurs within the first half of the term (ie 18 months) it should be filled by election. In the latter half of the term it should be filled by the Council within a specified time eg 30 days of its occurrence. Given the time necessary to organise and conduct an election and having regard to the cost involved it is believed that 18 months is more appropriate rather than two years as at present prescribed for the mayor of a city/town."*

- 11.7 Many other submissions also proposed that by-elections be held for any vacancy which occurs within a specified period, most commonly the first two years of a Council term, on grounds such as that this is democratic, ensures Council members represent their constituents and avoids the possibility of Councils selecting a replacement of their choice rather than the electors' choice.
- 11.8 Brisbane City Council (S238) proposed by-elections for Aldermen but not for Mayor:

*"The City of Brisbane Act should allow for the Deputy Mayor to be appointed as Acting Mayor for any uncompleted period of the Mayor's office (currently an election can be required). There should be no necessity for a by-election for Mayor as election for Lord Mayor at large could not be justified in view of the cost (over \$800,000).*

*A by-election to fill a vacancy other than Mayor is supported as it is at minimal cost and local residents require representation. However an election should not be required for the filling of a vacancy in the office of Alderman other than Mayor, occurring within nine months prior to a triennial election. For this relatively short period the Ward Office could be serviced on an administrative basis."*

- 11.9 Those who argued for filling of vacancies by appointment did so on grounds including that by-elections are very expensive financially (each by-election is estimated to cost LAs up to \$20,000) and in the necessary human resources, and that filling vacancies by appointment is quicker. Some suggested processes by which appointees should be selected, such as appointing the next available unsuccessful candidate from the previous election. Charters Towers City Council's submission (S219) provided an example of these arguments:

*"Vacancies on council should be filled by council appointment and not by the conduct of election. In some Local Government areas quite a number of elected representatives resign during the year and it is not economically viable for these vacancies to be filled by the conduct of what usually turn out to be expensive elections. Council also feels that there should be a stipulation as to how these appointments should be made, i.e. by invitation from the public or by appointing the person who is next in line at the previous election."*

See also in this regard Nanango Shire Council (S163), Booringa Shire Council (S308) and Mrs L Rasmussen (S85).

- 11.10 Burdekin Shire Council (S133) proposed a solution to the problem of costs of by-elections:

*"The Council supports the system whereby vacancies on Council, including that of Mayor/Chairman, are filled by Council appointment. It would be an extremely costly exercise for Local Authorities to fill casual vacancies by conducting elections, which in some cases would be held on more than one occasion in a three year term.*

*If there is popular support for reform in this area, it is considered that the State Government, and not Local Government, should be responsible for costs of conducting elections to fill casual vacancies."*

11.11 Another solution was proposed by Woongarra Shire Council (S107):

*"Council submits that an election system be used to fill a casual vacancy in an LGA within the first two (2) years of the term of the Council and be by appointment in the third year with standards set by legislation to address advertising for expressions of public interest in filling the vacancy. The election procedures used in the first two years should be more relaxed than present system to assist in containing costs to a reasonable level."*

**Analysis of Evidence and Arguments**

- 11.12 Whilst recognising the cost and inconvenience of conducting by-elections, the Commission considers that vacancies should be filled by election whenever practical. The present requirements of filling vacancies for Mayor by by-election should continue. The Commission considers that requirement should also apply to Shire Chairman.
- 11.13 However, the Commission considers that where a vacancy occurs in the final year of term, the vacancy should be filled by the Deputy Mayor or the Deputy Chairman instead of appointment as currently prescribed.
- 11.14 In the case of Aldermen and Councillors the Commission considers that by-elections should be held for all vacancies except those within twelve months of the next triennial election. In the last year the vacancy should be filled by the person receiving the next highest number of votes in the relevant area or division. If that person is unavailable then the person with the next highest number of votes "and so on" should be appointed. This procedure is at least predictable and objective and should avoid any potential for cronyism or allegations of it. If there are no available candidates, Councillors should make an appointment.
- 11.15 Some objections were made to this proposal in the evidence, principally because this process may result in persons being appointed who received little popular support and would not normally have been elected. However, at least those persons have faced the electors and received some degree of support. Many appointees do not have these qualities.
- 11.16 The Commission suspects that the present system may make it too easy for Aldermen and Councillors to resign. Elected representatives may think twice about resigning if their act results in the cost and inconvenience of a by-election.
- 11.17 The foregoing proposed procedure may have undesirable consequences where the former Alderman or Councillor had run for office as a member of a party or an electoral team. In those circumstances the vacancy should be filled by a nominee of the party or team concerned. This proposal will require that a candidate's party or team affiliation be stated on nomination as a candidate.

- 11.18 The Commission considers that these proposals strike an appropriate balance between pragmatic considerations such as the cost of by-elections and the concern for potential abuse in an unrestricted appointment regime.

#### **Recommendations**

11.19 **The Commission recommends that:**

- (a) in the first two years of term vacancies in the office of Mayor/Chairman be filled by means of a by-election;
- (b) in the last year of term, vacancies in the office of Mayor/Chairman should be filled by the Deputy Mayor or the Deputy Chairman;
- (c) vacancies for other Aldermen/Councillors be filled by means of a by-election, except that in the last year of a Council's term such vacancies should be filled:
  - (i) in the case of an Alderman or Councillor who ran for office as a member of a political party or electoral team, by the nominee of that party or team;
  - (ii) in all other cases, by the next available candidate who secured the highest number of votes in the relevant division or area.
- (d) in relation to (i), persons nominating for office be required to state their party or team affiliation, if any, on the nomination form;
- (e) in relation to (ii), if there is no available candidate, the Council should make an appointment.

## CHAPTER TWELVE

### VOTERS' ROLL

#### Current Situation

- 12.1 Section 7 (7)(i)(a) of the Local Government Act 1936-90 provides that:

*"The voters' roll shall consist of the names of all electors enrolled up to the immediately preceding thirty-first day of December on the electoral roll or rolls of the electoral district or districts or parts thereof comprised within the Area or division, as the case may be;"*

- 12.2 Section 7(7)(iv) provides that:

*"For the purposes of any election held on any day other than the day of the triennial elections, the voters' roll shall be amended so as to comprise the names of all persons who are electors and whose names have been enrolled as such not later than thirty clear days before the day on which the election is to be held."*

- 12.3 The City of Brisbane Act 1924-90 contains similar references to a specific date for closure of voters' rolls prior to triennial or other Council elections. Section 17(3)(b) provides that rolls for each triennial election close on 31 December prior to that election. Section 18(4) provides that rolls close 7 days prior to nomination day in the case of by-elections.

#### Matters for Consideration

- 12.4 Currently, voters' rolls have to be compiled by 31 December in the year prior to a triennial election and consist of the names of all enrolled electors. Each new voters' roll is made by adjusting State electoral rolls unless the boundaries of the LGA and the relevant State electorate are conterminous.
- 12.5 The Local Government Act effectively gives the Returning Officer three months to organise a roll for triennial elections; voters' rolls for elections other than the normal triennial poll close 30 days prior to the date the election is to be held. This suggests that Returning Officers are able to organise a by-election roll relatively quickly, (presumably because the State Electoral Office is not trying to service the needs of all Queensland LAs simultaneously).
- 12.6 The Commission understands that the current closing date was originally chosen for administrative convenience as the State Electoral Office (SEO) produces a roll on this date for other uses, eg selecting juries. The SEO used to provide the Returning Officer with rolls for the State electorates which overlapped with the LGA; this could mean collating from as many as five State electorate rolls.

- 12.7 However, the SEO now sends specific rolls, including rolls for divisions within an LGA, eliminating the need for Returning Officers to sift through a number of State rolls to produce a roll or rolls for the LGA. In addition, computerisation and quicker printing and processing may allow for later closure of voters' rolls. However, in LAs which have full postal voting, the procedure involved in conducting a postal ballot, including receipt of ballot papers from electors by election day, cannot always be completed within 30 days. Problems of communication, which can be exacerbated because triennial elections are held in the wet season, prevent this.
- 12.8 A number of solutions to these problems are possible, although not all are feasible:
- . moving the date for each triennial election to later in the year;
  - . allowing LAs which conduct a full or partial postal ballot to have an earlier closing date;
  - . allowing extension of time after the actual election day for closure of the poll in those LAs which have postal voting;
  - . building flexibility into the legislation to enable suitable measures to be taken by LAs to overcome any particular practical problems they would have with later roll closure (eg more flexibility in checking nominations).

### **The Evidence and Arguments**

- 12.9 There was considerable support in submissions for later closure of voters' rolls for triennial elections, most frequently for closure one or two months before any election. Some also pointed out that computerization of State rolls now enables later closure.
- 12.10 Mt Isa City Council (S272) was typical of these views:

*"There is no reason in this day of computerisation and office automation etc. that the rolls could not be closed one month prior to the election date, to ensure that as many people resident in the Local Authority have the opportunity to cast their vote."*

- 12.11 Hinchinbrook Shire Council (S305) raised the issue of roll maintenance:

*"The key issue is we believe, the proper maintenance of current rolls under the administration of the State Electoral Office. We believe that a number of electoral issues associated with enrolment entitlements etc. could be overcome if proper resources were provided to facilitate the update of the rolls.*

*Local authorities must have access to current rolls to conduct elections and if the Electoral Office could provide these, rolls could close on 30th January IF we could be guaranteed of the speedy issue of at least a Master Roll to facilitate pre-election needs."*

12.12 Carpentaria Shire Council (S174) proposed that:

*"The Council should prepare its own rolls derived from the State Electoral roll, local information and local applications. This would enable the roll to be closed six weeks prior to the election and produce better up to date records."*

12.13 Those who supported continuing the present arrangements usually did so on grounds that the administrative procedures involved in preparing for an election preclude earlier roll closure. This was strongly argued by Shires where voting is by postal ballot. Etheridge Shire Council (S91) provided a helpful description of the process and problems of postal voting.

*" ... the elections for the Shire are held on a full postal ballot basis, with procedural arrangements taking almost three months.*

*Full postal ballots have been conducted for a long period of time and it is Council's opinion that this should not change, due to the distances that some electors live from the administrative centre. The time for the holding of elections - (late March/early April) falls within the normal 'wet' season period. Should Council change the mode of election away from full postal ballot, requiring electors to visit a polling place, some electors could be prevented from voting if heavy rains fell and isolated them on their properties.*

*Mail services are another factor. Most rural properties receive only a weekly mail service. Depending on when the ballot papers were posted by Council, it may take up to two weeks for them to be received by some electors, with the completion and return of the ballot papers taking up to another two weeks.*

*Under Rule 5(1)(a)(ii) of schedule 3, the maximum period allowed between the closing of nominations and election day is 42 days. During this time, ballot papers have to be printed, sent to Council, filled up with the electors' names and addresses, posted to the electors and returned by them to Council's office by mail, in all, a very tight time schedule.*

*In the course of each election, arrangements are made with the printers to be on stand-by at the date of the closing of nominations. The printers afford this and other Shires where full postal ballots are conducted, high priority in the printing of ballot papers. Nominations are telephoned (or Faxed) through to the printers and the ballot paper subsequently printed and forwarded within a few days. This assistance is absolutely valuable and essential.*

*Should, as suggested, the Electoral Rolls close only 30 days prior to the election, the following procedures would need to take place:-*

- (a) The Electoral Rolls prepared by the Commission and forwarded onto Council.*
- (b) Upon receipt nominations would need to be checked against the rolls to ensure nominations in order.*
- (c) Ballot papers printed and sent to Council.*
- (d) Ballot papers filled up and sent to electors.*
- (e) Return of ballot papers by post from electors.*

*There is, quite clearly, insufficient time for the above to be effected within a 30 day time scale*

*Also, even if Council reverted to an election where polling places were put in place, many electors would still wish to apply for a postal vote. Bearing in mind that local authority elections differ from other forms of election, in that, ballot papers received after the election date are not counted, again there is clearly insufficient time within a 30 day time scale for a postal vote to be forwarded and returned."*

Closing the rolls too early would create problems for remote Shires. McKinlay Shire Council (T236) said:

*"... (the) thought or the possibility of election rolls closing in that one month period would create havoc for us. We have to start to put out for nominations around the January mark and then by the time they're received we then have to get the printers to print our postal ballots etc., so that time constraint would be just impossible for our Shire and similar ones that do, I believe, hold postal ballots ..."*

- 12.14 Carpentaria Shire Council suggested that closure of the rolls six weeks before the election would allow sufficient time for a partial postal ballot (T217). On the other hand Miriam Vale Shire Council suggested that eight weeks might be necessary for a postal ballot (T74). Gympie Shire Council (T11) said that different closing dates should not present any difficulty.
- 12.15 Finally, there was some suggestion that the election date should be moved to later in the year. For example Miriam Vale Shire Council (T76 ff) suggested October/November. The Australian Democrats (T726) suggested September and Councillor J Weller, Gayndah Shire, suggested May (S110). Bendemere Shire Council (S179) proposed December or January.

#### **Analysis of Evidence and Arguments**

- 12.16 As to roll closure, a reasonable balance has to be struck between two competing and legitimate interests. First, closing the roll in December effectively disenfranchises significant numbers of people, particularly in circumstances where present State voting qualifications include three months' residence. For example, public servants (including teachers and defence personnel) often do not transfer into an area until early in the New Year. Second, the closure of the roll too late may create insurmountable problems for remote LAs which conduct postal ballots.
- 12.17 On the available evidence the Commission considers that closing the rolls at the end of January would be appropriate in the great majority of cases. This would still allow two months to prepare for the elections.
- 12.18 If the State roll is maintained efficiently and the electoral administration is able to deal with "on line" enquiries promptly, a 31 January roll closure should not present difficulty.
- 12.19 However, in those LAs where a postal ballot is conducted, the date for closing the rolls should remain at 31 December. As the evidence indicates, these LAs would have great difficulty coping with a later closure date. The Commission would be concerned, however, if LAs adopted postal voting just to secure an earlier roll closure date.

- 12.20 The Commission also notes closing the poll on election day can create administrative problems in LAs which conduct postal voting. Early closure may also disenfranchise many remote electors whose ballots have not been returned. In remote areas of Queensland mail may take up to two weeks to be delivered. The Commission considers that in those LAs which conduct a postal ballot, the closure of the poll might need to be extended by up to 14 days.
- 12.21 Finally, the Commission notes the proposals to move elections to other times of the year. These proposals do not have strong support. The Commission suspects that many Local Government activities depend upon the present election date (eg. budget cycles) and it would be too disruptive to change the present date.

#### **Recommendations**

**12.22 The Commission recommends that:**

- (a) rolls close on 31 January prior to the election except for LAs conducting postal ballots (in whole or in part) where the rolls should close on 31 December; and
- (b) in the case of LAs conducting a postal ballot, the closure of the poll may be extended up to 14 days after polling day at the discretion of the Returning Officer.

## CHAPTER THIRTEEN

### TIMING OF ELECTIONS

#### Current Situation

#### 13.1 Section 7(8) of the Local Government Act 1936-90 provides that:

*"(i) In every Area, a triennial election of the Council constituting the Local Authority of such Area shall be held.*

*(ii) A triennial election of the Council constituting the Local Authority shall be held on the first Saturday in April, one thousand nine hundred and seventy, and thereafter in every third year on the last Saturday in March:*

*Provided that if in the year of any triennial election (excepting the year one thousand nine hundred and seventy) the Saturday next following Good Friday falls on the last Saturday in the month of March, such election shall be held on the first Saturday in the month of April in that year.*

*(iii) Each triennial election shall be for the election of the Chairman and the whole number of members of which the Council constituting the Local Authority is comprised."*

#### 13.2 Section 16(1) and (2) of the City of Brisbane Act 1924-90 provides:

*"(1) A triennial election of the Mayor and other Aldermen shall be held on the last Saturday in March 1985, and thereafter in every third year on the last Saturday in March:*

*Provided that, if in the year of any triennial election, the Saturday next following Good Friday falls on the last Saturday in the month of March, such election shall be held on the first Saturday in the month of April in that year.*

*(2) At the triennial election to be held on the last Saturday in March 1985 and at every triennial election thereafter the Mayor and the whole number of other Aldermen shall be elected."*

#### Matters for Consideration

13.3 Local Authority elections in Queensland are held in March or April every three years, all positions being open for election in every Council. In other States elections are held more frequently, with some Councillors being elected at each election; for example, annual elections of one-third of Council members, each member thus serving a three-year term. This system has the advantage of providing continuity of Council membership but is costly in terms of time and resources used to conduct an annual election and can be used only where there is more than one member per division.

Another issue raised was four year terms. The great majority of those making submissions supported four year terms if the Legislative Assembly moves to four year terms.

### **The Evidence and Arguments**

- 13.4 Most submissions supported continuation of the current practice of holding all Local Authority elections on the same fixed day at prescribed intervals with election of the whole number of members. Nanango Shire Council (S163) proposed that elections should remain triennial. Its reasons were as follows:

- "(1) The present system works very well and does not warrant changing.*
- (2) Annual turnover of a number of Councillors would cause too much upheaval and expense; and*
- (3) Annual turnover of a number of members would mean that this number of members would always be overly conscious of the approaching election. Whilst this is supposed to be what the democratic system is for, anyone would appreciate that all levels/systems of government require long periods of time out of 'election fever'.*
- (4) The present system is consistent with the houses of representatives at the State and Federal levels. Changes to this system would need to be very well justified to warrant upsetting a system which works well and which the electors understand."*

- 13.5 Livingstone Shire Council (S165), however, proposed staggered elections:

*"There does not appear to be any necessity to time all Council elections for the one day, and staggering would undoubtedly assist the State Electoral Office to conduct the elections, if that should become the case."*

- 13.6 Whitsunday Chamber of Commerce (S180) proposed annual elections:

*"L.G.A. elections should be on the basis that one third of the councillors should be elected each year. This would ensure that no one pressure group or political group could control council for more than twelve months without the acceptance of the electorate. It would also ensure continuity of hopefully good local government."*

- 13.7 On the other hand, Booringa Shire Council (S308) said:

*"Simultaneous elections of the full Council have been subjected to the criticism that a completely new and inexperienced Council may be returned. While this has in fact occurred, it has only been on isolated occasions and in fact, in a great many Queensland local authorities, members enjoy lengthy periods of office. Simultaneous elections reduce the cost of elections and help to reduce voter apathy by focusing community attention on the electoral process. Similarly, staging of the statewide triennial elections on the same day assists greatly in raising the profile of what could be an otherwise lack lustre process. It is difficult to imagine that the present levels of media coverage could be achieved if elections of individual Councils were staged at random."*

- 13.8 The other major issue was whether Council terms should be three years or longer.

- 13.9 Those in favour of continuing to hold elections triennially argued that this is consistent with State and Federal practice; for example, Logan City Council (S186) said:

*"... can see no good reason why the triennial system should be abandoned. Arguments for four year terms are conjectural. Whilst triennial terms remain in State and Federal legislatures, there is no reason why local government should be dealt with differently."*

- 13.10 Those proposing longer terms argued that this would facilitate longer term planning, would better enable implementation of projects within a Council term and would cut election costs significantly. For example, Gold Coast City Council (S116) proposed four year terms:

*"It is submitted that it would be beneficial to the community if the term of election of Council members were 4 years, for the following reasons:-*

- (a) principally, to give time for programmes and policies to be developed and implemented. It normally takes 6 to 12 months for a newly-elected representative to become fully familiar with a Council's procedures and customs and there is a reluctance to implement new programmes in the final 6 to 12 months prior to an election. This limits the period of maximum production of new initiatives to the middle year or 18 months of the existing term. An extension of one year to the term would almost double the time of greatest production and effectiveness.*
- (b) Cost saving would be a benefit to the ratepayers. The conduct of an election is becoming increasingly more costly. Four year terms would mean fewer elections and thus lower cost over a period."*

- 13.11 The LGAQ (S191) also cited practice elsewhere:

*"A 4 year term is favoured to provide greater opportunity for long term planning and implementation of policies.*

*New South Wales and Northern Territory Legislative Assemblies and the Northern Territory Local Government Council terms are 4 years."*

### **Analysis of Evidence and Arguments**

- 13.12 The Commission believes that it would be inappropriate to conduct part-Council elections on a more frequent basis as suggested by the Whitsunday Chamber of Commerce. The Commission considers that such a practice would be more costly and quite disruptive. The present practice of a fixed election date for the whole of the Council is widely accepted and supported. It should not be changed except for good reasons. The Commission is not aware of any such reasons.
- 13.13 As to the length of Council terms, the Commission considers that the term should be the same as for the Legislative Assembly. That term is currently three years but may be altered to four years depending on the outcome of the referendum announced by the State Government.

**Recommendations**

- 13.14 The Commission recommends that the term of Councils remain at 3 years, but if the term of the Legislative Assembly is extended to 4 years, the term of Councils should also be extended to 4 years. The Commission also recommends that the current practice of holding simultaneous elections for all LAs on a fixed day in March or April continue.**

## CHAPTER FOURTEEN

### SIZE OF COUNCIL MEMBERSHIP

#### Current Situation

14.1 Section 6(1) of the Local Government Act 1936-90 provides, in part, that:

*"(i) Towns. Every town shall be governed by a council comprised of not more than 11 members, including the Chairman, and not less than 7 members, including the Chairman, as the Governor in Council from time to time declares by Order in Council.*

*Provided that where a Shire governed by a Council comprised of a number of members (including the Chairman) more than 11 has been proclaimed after the 31st December 1985 to be a City (whether before or after the passing of the Local Government Act and Another Act Amendment Act 1987) that City shall be governed by a Council comprised of that number of members until the Governor in Council declares otherwise under the preceding paragraph, which shall in this case be construed to confer on the Governor in Council a discretion whether or not he so declares.*

*If the Town is divided into divisions for the purposes of Part IV only of this Act, the number of members excluding the chairman shall from time to time be assigned to each division by the Governor in Council by Order in Council. The number so assigned need not be the same for each division ...*

*(ii) Shires. Every Shire shall be governed by a council comprised of not more than 13 members including the chairman, and not less than five members, including the chairman, as the Governor in Council from time to time declares by Order in Council.*

*If the Shire is divided into divisions for the purposes of Part IV only of this Act, the number of members excluding the chairman shall in like manner from time to time be assigned to each division. The number so assigned need not be the same for each division."*

14.2 Section 5(1) of the City of Brisbane Act 1924-90 provides that:

*"On and from the conclusion of the triennial election of the Mayor and other aldermen to be held in the year 1985 the City shall be governed by a Council composed of 27 aldermen consisting of the Mayor and 26 other aldermen."*

#### Matters for Consideration

- 14.3 It is common practice in all States, including Queensland, for the prescribed minimum and maximum numbers of Council members to differ among types of Council. The only exceptions are larger cities, for example Brisbane, where larger numbers are specified. There is no apparent pattern in terms of one type of Council consistently being larger than another type.

#### The Evidence and Arguments

- 14.4 There was a wide range of opinions on the issue of appropriate numbers of members on Councils.

**14.5 Among those who believe the current maxima are too high was Crow's Nest Shire Council (S108):**

*"This Council currently comprises thirteen (13) members, including the Chairman. Council considers that the Crow's Nest Shire is over-governed with this number of members, and therefore considers that the maximum number of members of any Local Authority in Queensland should be nine (9), including the Chairman. Each Local Authority should be free to determine the number of members required on that particular Council, provided the maximum number does not exceed nine (9), including the Chairman."*

**14.6 Hinchinbrook Shire Council (S305) also proposed fewer Council members:**

*"The time is fast approaching where full time Councillors will be necessary to attend to the day to day business of the LGA. Principally the positions of Chairman and Mayor even today, have arrived at that time. In an undivided area, the suggestion of a Council of 4 or 5 full time members is worthy of consideration."*

**Noosa Shire Council proposed a limit of 11, unless a higher figure could be justified (S131):**

*"There should be a limit of 11 on membership of Councils unless justification is provided to an independent Authority such as EARC for a higher number. Actual numbers should be variable to allow for area differences."*

*... A limit of 11 would provide sufficient diversity of views to effectively represent community opinion.*

*... The size of almost all Local Government Authorities in Queensland is such that workload with a limit of 11 would not be too great. Exceptions such as Brisbane City Council can apply for an exemption.*

*... Too many elected members results in inefficiency and unproductive use of staff and member time.*

*... Historically, uneven population growth in many areas has resulted in increases of elected members for some divisions but no decreases in declining areas. When the total reached 13, no further increases were possible, and imbalances then increased over time."*

**14.7 Others proposed that minima and maxima should be raised to take account of population growth and increase in the range of functions performed by LAs. Staff of the Department of Government of the University of Queensland (S310) submitted the following arguments for increased maxima and minima:**

*"If it is accepted that, other than the City of Brisbane, LGAs should be served by alderpersons and councillors serving on a part-time basis, we think that the more populous LGAs will need to be represented by numerically larger councils ... A city of, say, 120,00 people needs a relatively large group of part-time alderpeople to represent the wide range of community opinion that inevitably develops on many issues; to follow up the communications that ordinary citizens desire with their local alderpersons or councillor; and to assemble those various skills and knowledge within the council which are the requirements for sensible debate on the variety of matters which come before council."*

*The present maximum numbers for elected councils were originally established in 1878 when communities were small and local government functions, by today's standards were quite simple. We would argue, then, that the limitation of 11 for cities and 13 for shires is outmoded and that a maximum number of 30 would be appropriate for the largest councils outside Brisbane. Our view is that one part-time elected member can represent 5000 constituents quite comfortably in an urban environment, while a council of 30 could effectively serve a city of 150,000.*

*If cities are permitted to grow beyond that number while remaining under unified local government control, it may be that the principles and procedures which apply to the Greater Brisbane metropolitan area, including full-time salaried elected alderpersons, would need to be applied ...*

*The present minimum of five elected members for a council constituted under the Local Government Act seems, under current arrangements to be reasonable for the least populous LGAs. Nevertheless, some of these LGAs have a percentage of aboriginal citizens whose participation in local government is, at present, almost negligible. Many of these citizens may well find that participating in the process of local problem solving through membership of local councils is an effective form of political education. Similarly, local governments, presently detached from those problems of aboriginal communities would become meaningfully involved with them if minimum overall membership requirements were altered and opportunities for aboriginal election to local councils correspondingly increased. For that reason, we recommend that the minimum membership level for all councils be increased to seven rather than the present five ..."*

- 14.8 Many LAs were satisfied with the current provisions, believing that each LA is in the best position to decide the number of members appropriate to its needs. Some however proposed that the same minima and maxima should apply to all LAs except Brisbane City Council. Some submissions proposed that the number of members should be specifically related to elector population or to class of LA (i.e. City, Town or Shire). Gympie City Council's submission (S155) included the following comments and recommendation:

*"In most cases a shire would have less residents than many of the cities/towns but may have more elected members. This situation may have been a concession to the larger areas of shires but with modern day transport and communications there would appear to be little justification for the additional membership continuing. Moreover it is often said that we are over-governed and the opportunity should be taken to reduce the upper limit of Council members.*

**RECOMMENDATION** - *That membership of all local authorities be not less than five or more than eleven including the Mayor/Chairman and the actual number be determined by a suitable formula based on a ratio of population to area provided that total membership shall not constitute an even number."*

- 14.9 The Australian Labor Party (S240) proposed the following ranges of members based on elector population:

- \*Category A - over 20,000 electors - 9-15 members;
- \*Category B(i) - 4,750 to 19,999 electors - 7-11 members;
- \*Category C - 1,000 to 4,749 electors - 5-9 members; and
- \*Category D - less than 1,000 electors - 5-7 members.

*(i) The lower limit of 4,750 rather than 5,000 was chosen because Cardwell Shire with 3 divisions and an enrolment of 4,959 has 10 members and a distortion index of 1.1. The divisional boundaries are fair and there is no urgent case for change."*

- 14.10 Redcliffe City Council (S130) proposed legislative provisions regarding number of members:

*"Having regard for population, population distribution and geographic area it is not reasonable for all local authorities to be represented by the same number of members. However, it is suggested that future legislation should more closely prescribe the number of members for various classes of local authority. It is noted that many local authorities are represented by an even number of members including the Mayor or Chairman. Consideration could be given to requiring total representation to be an odd number. This (assuming a full attendance) removes the necessity for the Mayor/Chairman to face the need to exercise his/her casting vote in the event of an equality of votes."*

Croydon Shire Council (S172) was also concerned that total Council membership should be an odd number.

#### **Analysis of Evidence and Arguments**

- 14.11 The Commission considers that there should be a reasonable degree of flexibility in the numbers of Councillors and Aldermen. LAs must be given some latitude to determine the appropriate size of the Council, having regard to all the circumstances of the LGA. Whilst some of the submissions argued for smaller Councils on efficiency grounds, it should be borne in mind that Councils in future may need some flexibility in numbers to achieve a reasonable degree of equal suffrage across divisions.
- 14.12 The problems of achieving equal suffrage make it imperative that total Council membership should not be restricted to an odd number. To restrict Councils to odd numbers only would substantially reduce the range of options to achieve equal suffrage. Similar problems would arise if membership were based on formulae such as the Australian Labor Party proposed.
- 14.13 However, the Commission sees no justification for the differing minima and maxima between Cities and Towns (7-11) and Shires (5-13), particularly where Cities and Towns are generally more populous. These discrepancies should be eliminated with the minimum and maximum for Cities, Towns and Shires being 5 and 13 respectively. This range should give LAs sufficient flexibility to determine the composition which best suits their needs. Brisbane, because of its special size, should remain at 27 Aldermen, including the Lord Mayor.
- 14.14 The Commission is also conscious of the fact that most Councillors and Aldermen receive only sitting fees and expenses. The cost of such fees and expenses does not have a major impact on LA budgets.
- 14.15 The Commission believes that formulae are inappropriate, because they are likely to result in arbitrariness and inflexibility. Moreover, formulae do not allow for the wide variety of circumstances existing amongst LAs in Queensland.

**Recommendations**

- 14.16 The Commission recommends that the minimum and maximum number of Councillors for all LAs in Queensland be 5 and 13 respectively, except for Brisbane which should remain at 27 Aldermen (including the Lord Mayor).**

## CHAPTER FIFTEEN

### CURRENT LIMITATIONS ON CANDIDATURE FOR ELECTION

#### Current Situation

- 15.1 Section 7(1) of the Local Government Act 1936-90 provides, in part, that:

*"At any election a person shall not be qualified to be a candidate for the office of chairman and also for the office of ordinary member."*

(The term "Chairman" is by definition inclusive of "Mayor")

- 15.2 Section 7(2) outlines the major disqualifications for candidature:

*"No person who-*

- (i) (Repealed); or*
- (ii) Is an employee of any Local Authority; or*
- (iii) Has his affairs under liquidation by arrangement with his creditors or is an uncertified or undischarged bankrupt or insolvent; or*
- (iv) Is undergoing a sentence of imprisonment, whether or not the execution of such sentence has been suspended under section six hundred and fifty-six of "The Criminal Code"; or*
- (v) Is an insane person within the meaning of the laws in force for the time being relating to insanity,*

*shall be capable of being or continuing a member:"*

*Provided that nothing in this subsection shall disqualify a person who is for the time being an employee of a Local Authority and who is paid by the Local Authority with moneys received from the Department of Aboriginal Affairs of the Commonwealth to finance a community development employment project.*

- 15.3 Section 8(1) of the City of Brisbane Act 1924-90 provides that:

*"No person who-*

- (i) is a member of the Legislative Assembly; or*
- (ii) is concerned or participates in the profit of any contract with the Council; or*
- (iii) is an undischarged bankrupt or is otherwise taking advantage of the law relating to bankruptcy; or*
- (iv) is undergoing a sentence of imprisonment, whether or not the execution of such sentence has been suspended under section six hundred and fifty-six of "The Criminal Code"; or*
- (v) is an insane person within the meaning of the laws in force for the time being relating to insanity;*

*shall be capable of being or continuing as Mayor or as alderman other than Mayor."*

- 15.4 Section 14 AA provides that:

*"A person shall not nominate as a candidate at an election for the office of Mayor and as a candidate at the same election for the office of an alderman other than Mayor."*

### **Matters for Consideration**

- 15.5 The City of Brisbane Act 1924-90 and the Local Government Act 1936-90 currently restrict the right of persons in certain categories to contest elections or to hold office as elected members of Councils. The two statutes impose somewhat different restrictions but their provisions raise questions about:
- (i) the right of employees of LAs to become members of their own Council or another Council;
  - (ii) the right of State and Federal Parliamentarians to contest LA elections; and
  - (iii) the right of persons simultaneously to contest election for the office of Mayor/Chairman and the office of ordinary member.
- 15.6 Arguments in favour of permitting LA employees to serve on another Council include the claim that such persons bring special insights and perspectives to Council deliberations that are otherwise not available. Another important argument is that it offends democratic principles to disqualify employees from running for office. Arguments against include claims of conflict of interest, especially when the two LAs concerned are engaged in litigation, negotiations, joint action, etc.
- 15.7 Arguments in favour of preventing Parliamentarians from contesting election to membership of a Council include the assertion that no one can simultaneously do justice to two jobs. Arguments against include the claim that the two roles involve so much overlap that one person filling both can serve more effectively than two separate representatives could.
- 15.8 Arguments in favour of permitting Mayor/Chairman candidates to contest election as ordinary Council members include the claim that high-quality candidates defeated in the Mayor/Chairman election would not be automatically lost to the system. Arguments against include the claim that many successful candidates for the Mayor/Chairman would also win a place as an ordinary member, creating further problems in bringing the election to a satisfactory conclusion.

### **The Evidence and Arguments**

- 15.9 Each of the areas of restriction on candidature for office are dealt with below.

### **EMPLOYEES OF LOCAL AUTHORITIES**

- 15.10 In regard to limitations on candidature of employees of LAs, arguments ranged from continuation of current restrictions to removal of all restrictions. The Trades and Labour Council (S212) argued strongly for removal of all restrictions:

*"The Trades and Labor Council of Queensland believes that the present provision which restricts the rights of employees of Local Authorities to become members of Council is unjustified. The provision reduces the civil rights of Local Authority employees. One effect of the provision is that Local Authority employees who wish to contest election for a Council must first resign their employment. The Trades and Labor Council of Queensland is aware of situations where council employees have resigned, stood for election but not been elected and have then been refused re-employment by the Council. More generally, the very need to put one's employment at risk, serves to dissuade people from standing for election ... Local Authorities are often the largest single employer in an area so that a considerable part of the workforce can be affected.*

*The Trades and Labor Council of Queensland believes that the restriction should be completely removed and that Council should grant leave of absence for the election period for any of its employees who contest the election. Where a Council employee is elected to full-time, paid membership of a Council, they should be given leave of absence for the period they are serving as an elected representative. Where Council membership is part-time or honorary, the employee should be released, without loss of earnings, for Council duties. It should be a requirement that Councillors who are also employees declare any conflict of interests that arise by virtue of employment with the Council".*

**15.11 Aurukun Shire Council (L38) had different reasons for supporting this position:**

*"Under the existing provisions of [Local Government Act Section] (7) (2), a problem could occur where the future members not employed on CDEP projects but are employed on Council's commercial ventures would have to find alternative employment in order to become a candidate.*

*This is where the current provisions of the Act do not provide enough flexibility for the future employment of Councillors. Moreso in view of the fact that there is no guarantee that CDEP funds will always be available."*

**15.12 Most LA submissions supported disqualification of employees from candidature for their employing LA only, and took that view because of potential conflict of interest between the roles of Council member and employee of the same Council. The Institute of Municipal Management (S268) was also of this view:**

*"For democratic purposes restrictions on candidature should be as few as possible. However, there would seem to be a potential conflict of interest where employees of a Council service as elected member of the same Council. Of particular concern to the Institute is the possible difficulties that may occur where a Town/Shire Clerk is required to serve a Council composed of one or more Council employees."*

**15.13 Mackay City Council (S154) supported restriction on candidature of employees of their Council and of Members of Parliament:**

*"The Council sees no reason why an individual who is involved with another organisation, e.g. as an employee of a neighbouring Council, a member of State Parliament or Commonwealth Parliament should be precluded from candidature for a Local Government Election. There is a clear opportunity for conflict of interest where a member of the Council is also in the employ of that particular Council however, and this circumstance should be avoided. It may for instance present a difficulty in relationships between a person who holds both membership and employment with a Local Authority, and Officers senior to him."*

## STATE AND FEDERAL PARLIAMENTARIANS

- 15.14 There appears to be strong support for extending to all LAs the current restriction on candidature of Legislative Assembly members for the Brisbane City Council; for instance, Gympie City Council submitted (S155):

*"It would not appear that a person could do justice to both roles as both positions can virtually be full-time jobs and it would be reasonable to exclude Members of Parliament from holding office in local government."*

Isisford Shire Council (S164) said:

*"The State Parliamentarian's position is also one of pecuniary interest in that his obvious links with government departments and political persuasion would be of benefit to those few Local Authorities who had State Parliamentarians as members, in that he may be able to obtain preferential treatment and place pressure on the Government of the day for only the benefit of his Council. This is obviously in conflict to his duty to the State."*

- 15.15 Some submissions suggested that this restriction should also apply to Federal Members of Parliament. Kingaroy Shire Council (S113) put this view in its submission:

*"No members of other governments should be allowed to be candidates for Local Authority elections. It frequently occurs that Local Governments lobby or make submissions to other forms of government, and this would create a conflict of interest."*

- 15.16 Councillor Truss (Kingaroy) said in oral evidence that, as a recently elected Federal Member, he could not do both jobs competently and proposed to resign soon as a Councillor (T32-33).

- 15.17 A number of submissions opposed restrictions on candidature of Parliamentarians, principally on the grounds that a Parliamentarian could more effectively carry out Local Government office; and, in any event, it is a matter for electors to determine. Submissions and evidence opposing restrictions included Toowoomba City Council (T504), Etheridge Shire Council (S91), Councillor Weller of Gayndah (S110), Cambooya Shire Council (S121) and Goondiwindi Town Council (S148).

## DUAL CANDIDATURE

- 15.18 The issue of dual candidature for Mayor/Chairman and ordinary member is related to the issue of direct or indirect election of Mayor/Chairman, in that if members of Council elect the Mayor/Chairman, the issue of dual candidature does not arise. Those who believe dual candidature should be permissible pointed to the wastage of talented people who stand for election as Mayor/Chairman and fail to be elected; for example Gympie City Council (S155) said:

*"Many high quality candidates are lost to local government when a member loses the election for Mayor or Chairman. Conversely many members who would be eminently suitable to be Mayor or Chairman do not contest the election for fear of losing their position in local government. A system could be devised allowing candidature for both member and Mayor/Chairman whereby, if the successful Mayoral/Chairman candidate is also a successful ordinary member candidate he is removed from that result and the unsuccessful candidate with the next highest number of votes is then elected ...."*

- 15.19 Those who supported the current restrictions were concerned about the administrative problems involved in running and obtaining the results of an election where candidates stand for election as both Mayor/Chairman and member. Redcliffe City Council's submission (S130) is an example of this view:

*"...the present rule that a person may not nominate for both member and Mayor/Chairman should stand. The main argument in favour of maintaining the present situation is the very real possibility of the candidate's being successful for both offices. This would lead to serious difficulties and complicate procedures for finalising an election."*

#### ADDITIONAL RESTRICTIONS

- 15.20 A number of submissions also raised issues related to restricting candidature of those who may potentially profit from membership of a Council. The Wide Bay Burnett Conservation Council (S88) had this to say:

*"At Local Government level there should also be a provision that anyone who can expect to profit either directly or indirectly by virtue of their business interests being enhanced by their position on Council eg. surveyors, real estate agents, land developers, should not be able to nominate for Council."*

- 15.21 Mr Bart Marney of Toowoomba (S394) proposed that land developers should not be eligible to stand as candidates for Council membership:

*"I believe there is a case for not allowing land developers to serve on councils because of the inherent conflict of interest. I refer to those people whose major occupation is land development, not to someone who, in a once only situation, subdivides and sells off a modest parcel of land."*

*I take this stand because I believe that, notwithstanding the existing pecuniary interest restrictions, a professional land developer must be financially advantaged if he is involved in the months-long process of drawing up a new, or greatly amended, town plan. In addition to his legitimate input into changes which will decide the future land use patterns of large areas of land, he is advantaged in that, by knowing of these proposals long before they are made public, he is enabled to acquire properties for development which previously were not open to such development."*

- 15.22 Finally, the Isisford Shire Council suggested that prior to becoming eligible as a candidate all monies owing to the LA should be paid in full (S164).

#### Analysis of Evidence and Arguments

- 15.23 The Commission considers that, with some modification, the current restrictions on candidature of Council employees should continue. Most LAs are relatively small and employees who are also Aldermen or Councillors would face major conflict of interest problems. There would be considerable legal difficulties facing a Town/Shire Clerk trying to carry out the statutory and other functions of Alderman/Councillor and Town/Shire Clerk concurrently. Similar problems could apply to engineers and town planners.

- 15.24 There are also difficulties in permitting Council employees to stand for election in other Councils. Many Shires are required to negotiate arrangements on a wide variety of matters. An employee with a foot in both camps would face an impossible task in compartmentalising information to avoid conflict of interest.
- 15.25 Because these restrictions ultimately affect the democratic right to stand for office, they should be no wider than necessary. Employees should be permitted to stand for election, but if successful, they should resign. They should be permitted to take leave without pay in the election period.
- 15.26 The Commission considers that the current restrictions on State Parliamentarians should continue in relation to Brisbane and be extended to all other LAs. MLAs are paid on the assumption that they are devoting their energies full time to their Parliamentary role. An MLA's role is both onerous and important. MLAs should not be distracted from their duties by engaging in other pursuits. MLAs could face conflicts of interest. Similar considerations apply to Federal Parliamentarians and accordingly they should be similarly precluded from holding Local Government office.
- 15.27 The Commission recognises that denying persons the opportunity to contest both Mayor/Chairman and Alderman/Councillor positions may have the effect of discouraging talented persons from nominating for Mayor/Chairman for fear of missing out on a Council position altogether. However, the present system seems to produce effective representation. The Commission considers that the complications that would result in permitting dual candidature outweigh any marginal advantages that accrue to dual candidature.
- 15.28 The Commission considers that a blanket restriction on land developers and others who profit from Council business cannot be justified. Many people either deal in land or conduct business with an LA. Conflict of interest is, however, a serious problem and the Commission proposes to consider this matter in the context of its future review of a code of conduct for officials. As to the suggestion of Isisford Shire Council (see paragraph 15.22), the Commission considers that the extent of a person's indebtedness should not effect one's democratic right to stand for election.

### **Recommendations**

- 15.29 The Commission recommends that -
- (a) Federal and State Parliamentarians should not be permitted to occupy (or continue to occupy) elected office in Local Government.
  - (b) Employees of all LAs should be permitted to stand for election, but must resign if elected. Employees who nominate for Council office should be granted leave of absence during the election period.

## CHAPTER SIXTEEN

### ROLE OF TOWN/SHIRE CLERKS AS RETURNING OFFICERS

#### Current Situation

16.1 Rule 2 of Schedule 3 of the Local Government Act 1936-90 states:

*"Returning Officer. At every election the clerk shall, by virtue of his office, be the Returning Officer.*

*Substitute for Returning Officer. If the Returning Officer is prevented from attending to any of his duties by illness or other sufficient cause, he may, by writing under his hand, appoint a substitute to act for him.*

*Such substitute shall thereupon for the time being have all the power and authority of and be deemed to be the Returning Officer.*

*In the case of accident or omission, the Governor in Council may appoint some person to be Returning Officer."*

16.2 The role of the Returning Officer is detailed in the Local Government Act 1936-90. The Town/Shire Clerk who acts in this position has numerous duties, which can be summarised as follows:

- . recruit and train staff
- . compile and amend voters' rolls
- . organise public notice of elections
- . organise and accept nominations
- . organise ballot papers including postal ballot papers
- . organise elections including polling places, booths, forms and equipment etc
- . mark rolls
- . count votes
- . declare the poll
- . transmit ballot papers to the Local Authority
- . destroy ballot papers 12 months after the election
- . prepare marked roll
- . proceed with non-voter actions.

16.3 Section 16 of the City of Brisbane Act 1924-87 provides, in part, that:

*"(3) For the purposes of each election under this Act, whether -*

*a triennial election of the Mayor and other Aldermen;*

*a separate election to fill a vacancy in the office of Mayor; or*

*a separate election by the electors of an electoral ward to fill a vacancy in the office of Alderman for that ward -*

- (a) *the Town Clerk shall be the Chief Returning Officer; and*
- (b) *subject to subsection (4) the Town Clerk shall by writing under his hand appoint a Returning Officer for each electoral ward into which the City is divided under this Act.*

*(4) Save with the written permission of the Minister, a person who is not a Returning Officer for an electoral district comprised wholly or partially within the City shall not be eligible for appointment as Returning Officer under paragraph (b) of subsection (3)."*

- 16.4 Under Section 17(4), the chief Returning Officer has responsibility for giving public notice of every election and under Section 17(5):

*"The Chief Returning Officer and the Returning Officers shall for the purposes of every election under this Act have all the powers, authorities, and duties conferred and imposed upon a Returning Officer under and pursuant to the Elections Act."*

### **Matters for Consideration**

- 16.5 Town/Shire Clerks are required by the Local Government Act 1936-90 to act as Returning Officers in LA elections. It can be argued that this has the potential to cause some tension between the Clerk's role as an officer of the Council and the independent functions of a Returning Officer.

### **The Evidence and Arguments**

- 16.6 Submissions from most LAs supported the continuation of the practice whereby Town/Shire Clerks act as Returning Officers for Local Authority elections on the grounds that:

- (i) there have been relatively few problems with this system in the past; and
- (ii) removal of this responsibility from Clerks would not significantly reduce the use of Council resources in running elections.

- 16.7 The LGAQ (S191) supported the continuation of current practice:

*"Town/Shire Clerks should continue to be responsible for running local government elections. There have been few instances of election based conflict between Town/Shire Clerks and successful or unsuccessful candidates giving rise to longer term relationship problems.*

*Even if responsibility was given to another authority, for example, the State Electoral Office, there would still be heavy demand on local government resources and personnel including Town/Shire Clerks. There are 89 State Electoral Officers, of which it is understood that some 23 are located within the Greater Brisbane area. This leaves 66 located within the area of approximately 130 local governments.*

*The costs of local government elections to councils would most likely increase with the involvement of another authority on the assumption of full cost recovery and the continuing need for the involvement of local government personnel and other resources.*

*Town/Shire Clerks are professionals who are trained as local government managers which includes the conduct of local government elections."*

The Institute of Municipal Management (S268) held similar views:

*"There would seem no good reason why local authorities should not conduct their own elections in the same way that State and Federal governments conduct their own elections through their own agencies.*

*Town/Shire Clerks should continue to act as returning officers in Local Authority elections. These officers are trained Local Government professionals and consider that the operation of elections should be the responsibility of Local Government officers."*

- 16.8 Jondaryan Shire Council's submission (S178) supported this view and suggested that Town/Shire Clerks act as Returning Officers for other elections:

*"Council considers the Town/Shire Clerk should be retained as Returning Officer. Being a local, he is more conversant with the local population.*

*Also the low costs (in the case of this Local Authority \$1-10 per vote) of conducting elections further recommends the practice. It is further suggested that perhaps .. the State and Federal Governments should look at utilising this Officer in the conduct of their elections.*

*Obviously, Town/Shire Clerks are appointed in all areas of Australia and have a distinct advantage in conducting elections over a Clerk of the Court for example, who is appointed to a Regional Centre and must rely on inexperienced itinerant, State Government employees for assistance."*

- 16.9 Those submissions which suggested change proposed that the running of LA elections be taken over by either an independent electoral body or the State Electoral Office. For example, Miriam Vale Shire Council (S194) proposed Town/Shire Clerks be relieved of the responsibility for running Local Authority elections:

*"The reason for this is that the role of the Returning Officer is not that of an employee of Council. As such, conflicts can and do arise between members and the Clerk. These conflicts are damaging to the special relationship which must be developed between the Council and its Clerk.*

*Council believes, also, that this role can best be handled by the Principal Electoral Officer without the aid of the Clerk as Returning Officer, Presiding Officer etc."*

The Widgee and Miriam Vale Shire Councils expanded on the issue of conflict of roles and referred to actual problem cases. See respectively T16 and T79.

- 16.10 The Trades and Labour Council (S212) had a similar proposal:

*"The Trades and Labour Council of Queensland believes that the function of returning officer should not be undertaken by Town or Shire Clerks because of perceptions of conflict of interest. Instead the function of returning officer should be undertaken by either a stipendiary magistrate or a person appointed by the State Electoral Office."*

- 16.11 Livingstone Shire Council's arguments (S165) for this position included that this would eliminate any conflict of interest between Town/Shire Clerk's administrative and Returning Officer roles:

*"The Town/Shire Clerk is placed in an unenviable situation at election time as few candidates or voters are able to comprehend that the one person can effectively wear two hats, and remain impartial in the political/media build-up to the event.*

*At a time when the Clerk and the Council organisation should be preparing for a new intake of Members, they are otherwise distracted and occupied by election preparations and political incursions."*

- 16.12 Others argued that the Clerks' power to use a casting vote should be eliminated. See for example Thuringowa Shire Council (S176) and Amity Point Progress Association (S198). (The Returning Officer has no vote at an election except in the case of an equality of votes.)

### **Analysis of Evidence and Arguments**

- 16.13 The Commission considers that Town/Shire Clerks should continue to act as Returning Officers provided there is a mechanism to deal with conflict of interest situations. The Commission, in any event, would wish to review this question in 1991 when it conducts its review of the State's electoral laws. Much will depend on the nature and functions of any independent electoral commission.
- 16.14 It needs to be borne in mind that Local Government elections in Queensland can involve up to 685 contests for up to 1329 positions on one day. To pass the responsibility for the conduct of these elections to the State Electoral Office or an independent electoral commission may not be justified on the grounds of practicality, cost or efficiency.
- 16.15 The present regime is very cost effective and enables elections to be conducted by professional persons familiar with the local area. However, there may be occasions where, because of pressure of other work or conflict of interest, a Clerk may not wish to act as Returning Officer. The law should provide a mechanism for another person (for the time being, an officer of the State Electoral Office) to conduct the election in those circumstances. In any event, there should be provision for a tie to be resolved by some means other than a casting vote exercised by the Returning Officer. This will be addressed by the Commission in its review of State electoral legislation.

### **Recommendations**

- 16.16 The Commission recommends that the present practice of Town/Shire Clerks conducting elections should continue. The Commission further recommends that there should be provision for an officer supplied by the State Electoral Office to act as a Returning Officer where -

(a) the Clerk is unable to perform the relevant duties for workload reasons; or

(b) the Clerk is in a conflict of interest situation.

The current arrangements for Brisbane should continue.

**CHAPTER SEVENTEEN**  
**POWERS OF STATE GOVERNMENT**

**Current Situation**

17.1 The following is a list of the major powers in relation to Local Authority elections conferred on the Governor in Council or Minister by the Local Government Act 1936-90:

**Governor in Council -**

s 5 (1) (ii)	power to divide LGA into divisions
s 5 (1) (ii)	may constitute Shire to be Town
s 5 (1) (ii)	may constitute Town to be Shire
s 5 (2) (i),(ii)	apportionment of assets and liabilities by, upon joinder or inclusion of Areas or parts
s 5 (2) (v)	powers of, re Area included in another Area
s 4 (9)	Council, power to dissolve
s 8A	may extend term of Council elected at fresh election
Sch.3,r.2	appointment of substitute Returning Officer
Sch.3,r.13	may extend time for nomination, etc., in Shires
s 8	directions for new election on change in external boundaries, divisions or numbers of members etc
Sch.3.r.26	directions regarding full postal ballot in Shires
s 4 (10)	power to exclude part of Area from Act
s 53 (1) (iii)	power to direct taking of poll
s 53 (1) (iv)	power to give effect to vote on poll
Sch.3.r.16	powers to avoid formal obstacle to election and to validate certain elections
s 6 (1) (i)	to assign number of members to each division

s 6 (1) (ii)	to declare number of members of Council of Shire
s 6 (1) (i)	to declare number of members of Council of Town
Sch.3,r.12	to fix date of election after death of candidate
Sch.3,r.14	when may appoint Chairman or members
Sch.3,r.2	when may appoint Returning Officer
s 7 (10) (i)	appointment of qualified person to fill vacancy
Sch.3,r.21 A	may permit preferential voting

**Minister -**

s 53 (1)	powers as to taking of poll of electors
Sch.3,r.13	to notify extension of time for nomination, etc., in Shires

**17.2 Under the City of Brisbane Act 1924-90 the Governor in Council has the following powers:**

s19	may appoint Mayor or Alderman in default of election
s 14 F	may cause Zones to be completely or partially redistributed
14 G	to appoint Electoral Commissioners - re redistribution
s18	to determine separate election for filling of extraordinary vacancies: - of Mayor and Alderman
s 14K (3)	- re existing Council
s 14Q	to proclaim names and boundaries of electoral wards

**Matters for Consideration**

**17.3** As can be seen from the above, the Governor in Council has extensive powers over Local Government electoral matters. This raises the possibility of political interference in LA electoral matters, and the need to consider whether safeguards against such interference need to be introduced.

- 17.4 In other States, a review body generally has responsibility for investigating matters such as proposals for boundary changes, and the State Government is usually unable to exercise its powers in relation to LA electoral matters without this body having first investigated any proposal for change.

### **The Evidence and Arguments**

- 17.5 Most submissions favoured placing the responsibility for all Local Government electoral and boundary review matters in the hands of an independent body. The Australian Labor Party, Citizens for Democracy and the Trades and Labour Council support an Electoral Commission while the National Party proposes an Advisory Committee to advise the Minister on all matters pertaining to the Local Government Act. Arguments in support of these proposals mainly emphasized such a body's impartiality.

- 17.6 Citizens for Democracy (S102) stated:

*We recommend:-*

- . *A permanent division within a State Electoral Commission (SEC) should be established with the responsibility of maintaining the local government electoral system.*
- . *The redrawing of boundaries no longer should be the province of local authorities in consultation with the Local Government Minister, (ie. repeal section 6), but instead the SEC should be responsible for maintaining boundaries, accepting submissions from both councils and constituents.*
- . *The SEC should routinely solicit submissions from constituents and councils on their particular electoral system, and make further changes to each local authority electoral system according to its conclusions.*
- . *The SEC should be responsible for promoting community participation in the reform of an LGA electoral system, and should run an education program to make sure voters are aware of any recommended changes.*
- . *The SEC should conduct a referendum of citizens within an LGA should it recommend changes to that LGA's electoral system that are widely regarded as contentious.*
- . *Any changes to an LGA electoral system must be consistent with .. agreed universally advocated principles for all Local Government electoral systems ...*
- . *A redistribution should be triggered automatically by factors such as population shifts, as they are at state and federal level, and not left to the discretion of councils in consultation with the state government.*
- . *Legislation should be passed to ensure no state government or local authority can individually or together alter a local government electoral system implemented as a result of the initial review, or any on-going review by the SEC ...*

*Neither the State Government nor any local authority should have the right to overturn any recommendations of the State Electoral Commission.*

*The EARC must recommend an appointment procedure for electoral commissioners that prevents any partisan manipulation of the appointment process and thereby preserves the commission's impartiality. It may wish to draw on the experience of the implementation of procedures to appoint the EARC and CJC commissioners in its deliberations."*

**17.7 The National Party in their submission (S260) proposed an Advisory Committee:**

*"The NPA-Q supports the establishment of an Advisory Committee to advise the Minister on all matters pertaining to the Local Government Act, specifically, boundary disputes. The Minister should take cognizance of the Committee's recommendations. The Committee should comprise no more than six members and a Chairman. Membership of this Committee should be:*

- (1) Chairman appointed by the Minister and representing the community,*
- (2) Nominee of the Local Government Association,*
- (3) Nominee of Cities and Towns Association,*
- (4) A Shire Clerk, the nominee of the Municipal Officers Association,*
- (5) The Director General of the Local Government Department,*
- (6) A member of EARC, and*
- (7) Community member appointed by the Minister."*

**17.8 Other proposals included that from Taroom Shire Council (S207):**

*"Council considers that an Independent Appeal Tribunal should be established to investigate and determine boundary changes and other related electoral matters and arbitrate in the event of a dispute arising.*

...

*Council considers that this Tribunal should consist of the Minister for Local Government, or his nominee, and four Local Government members elected at the Annual Conference of the Local Government Association of Queensland. Two of the four members should be from Cities and Towns LGAs and two from Shires. The Chairman of the Tribunal should be the Minister for Local Government or his nominee."*

**17.9 The LGAQ (S191) submitted the following comments on this issue:**

*"The Association believes the process of ongoing review and change of the local government electoral system should, as far as possible, be removed from direct political control.*

*The establishment of an independent specific purpose body to publicly investigate and determine boundary changes and related electoral issues is supported. The processes of this body must be open to the public. It is considered desirable that, as far as possible, this body also be given responsibility for final decisions within guidelines established by Parliament.*

*Such a body would, over time, develop a wide knowledge and understanding of local government electoral and boundaries issues thereby establishing a credibility and respect for its activities. Such a situation now exists in relation to the Local Government Grants Commission. Electoral matters are of such fundamental importance they should not be left to ad hoc bodies formed in response to a particular need."*

- 17.10 Arguments for maintaining the status quo were few but included that this is financially less costly than setting up a separate body; for example, Broadsound Shire Council (S211) stated in its submission:

*"The Governor in Council retain powers to alter boundaries.*

**REASONS**

*Additional costs would be incurred by an independent Commission."*

- 17.11 Murilla Shire Council (S33) had different reasons for supporting the current arrangements:

*"The present powers of the State Government under The Local Government Act' are seen as being well placed, and this Council would not wish to see this power disseminated or assigned to some other body, independent or otherwise.*

*To assign the power to another body would be an abdication and abrogation of responsibility by the State Government."*

- 17.12 Winton Shire Council (S287) proposed that Local Authorities be given maximum autonomy on all electoral matters with the following proviso:

*"If autonomy of local governments is to be overridden then empowering an independent body to draw electoral boundaries would minimise political interference from State interests but such a body would need to be compelled to fully consult with the local governments concerned."*

### **Analysis of Evidence and Arguments**

- 17.13 It is clear from the evidence given to this Commission that one of the major causes of the distortions in electoral weightage is the lack of any regular, systematic review of electoral matters in Queensland Local Government. Some LAs said at the public hearings that they have not reviewed their internal boundaries since last century. Such changes which have occurred tend to be ad hoc at best, and politically opportunistic at worst. Although the powers to review have been in the hands of Ministers and Departments for many years, they have not been effectively utilised.

- 17.14 Local Government in Queensland requires regular independent review of electoral matters based on proper principles clearly set out in statutes. All other States have equivalent review bodies, although the degree of their independence varies.

17.15 There will be insufficient time to establish such a body prior to the 1991 Local Government elections. The Commission will develop this aspect further in the course of its external boundaries review.

17.16 The Commission notes the Citizens for Democracy suggestion that all electoral matters be combined within a State Electoral Commission. As already indicated, this Commission sees a need for a body to review both external and divisional boundaries in Local Government. The Commission will need to consider this matter further in the course of 1991 in its reviews of:

- . State Electoral Laws and Administration; and
- . Local Government External Boundaries.

At this stage, the Commission is inclined to the view that Local Government may require its own external/internal boundary review body.

#### **Recommendations**

17.17 The Commission recommends that there be an independent body to review and monitor Local Government electoral and boundary (both internal and external) matters. The precise composition, nature and functions of this body will be developed, after appropriate public comment, in the course of the Commission's external boundaries review.

## CHAPTER EIGHTEEN

### OTHER ISSUES ARISING FROM SUBMISSIONS & PUBLIC HEARINGS

#### Alternative Methods of Casting a Vote

##### CURRENT SITUATION

- 18.1 Absentee voting is not permitted in Local Government elections except in Brisbane City Council which is covered by the Elections Act 1983-89 through Section 17(6) of the City of Brisbane Act 1924-90.
- 18.2 Pre-poll voting is permitted, under Rule 62A of Schedule 3 of the Local Government Act 1936-90, at the LA office during the fourteen days prior to an election or such longer period as the Returning Officer allows. To be entitled to a pre-poll vote, a person must be entitled to a postal vote under Rule 57:

*(1) Any elector who-*

- (a) *will not throughout the hours of polling on polling day be within ten kilometres by the nearest practicable route of any polling place open on that day for the purposes of any election; or*
- (b) *is seriously ill or infirm, and by reason of such illness or infirmity will be precluded from attending at any polling place to vote or, in the case of a woman, will by her approaching maternity be precluded from attending at any polling place to vote; or*
- (c) *is by reason of his membership of a religious order or his religious beliefs-*
  - (i) *precluded from attending at a polling place; or*
  - (ii) *precluded from voting throughout the hours of polling on polling day or throughout the greater part of those hours; or*
- (d) *has reason to believe that on polling day he will be absent from the Area or division, as the case may be, for which he is entitled to vote,*

*may, at any time after publication of the notice of election and before six o'clock in the afternoon of the day immediately preceding polling day, apply in the prescribed form to the Returning Officer or the presiding officer for a postal vote certificate.*

*The application must be signed by the applicant with his or her own hand, and must be witnessed.*

- (2) (a) *If any applicant to vote under this rule is an inmate of a hospital or institution which is a polling-place the application shall contain or be accompanied by a statement signed by a duly qualified medical practitioner or qualified nurse who is in attendance on the applicant and stating in the opinion of such medical practitioner or nurse whether or not the applicant will be an inmate of such hospital or institution on polling day and -*

- (i) *If so, whether the applicant will be prevented by the incapacity, illness or other cause by reason whereof he is an inmate of such hospital or institution from voting therein on polling day; or*
- (ii) *If not, whether the applicant will be prevented by the incapacity, illness or other cause by reason whereof he is such inmate from voting at a polling-place on polling day.*

(b) *An applicant who is an inmate of a hospital or institution which is a polling-place shall not be entitled to vote under this rule -*

- (i) *If the application neither contains nor is accompanied by the statement specified in paragraph (a) of this subrule; or*
- (ii) *If, according to such statement he will not be an inmate of such hospital or institution on polling day and will be capable of voting at a polling-place on such day; or*
- (iii) *If, according to such statement he will be an inmate of such hospital or institution and capable of voting therein on polling day,*

*and no such application shall be granted by the Returning Officer or the presiding officer.*

*(3) Where an applicant to vote under this rule cannot write in English or cannot write in English other than to sign his name, the person who witnesses his mark or signature must be a justice of the peace, the Returning Officer or the presiding officer.*

*(4) A person who cannot write, or who cannot write in English, is not competent to attest the signature of an applicant to vote under this rule."*

- 18.3 Where the Returning Officer appoints a hospital or charitable institution as a polling place, Rule 32 makes provision for mobile polling booths to visit each ward or room of such hospitals or charitable institutions.
- 18.4 Postal voting in elections for Brisbane City Council is allowed under Section 87 of the Elections Act 1983-89 for those who will be working and unable to attend a polling place, who will not be within 10 km of a polling booth or whose religious beliefs preclude them from attending a polling booth. Under Section 85 of the Elections Act, there is also provision for electoral visitors to take the vote of anyone who is not eligible for a postal vote but who is unable to attend a polling place by reason of illness, infirmity or other medical incapacity.

## THE EVIDENCE AND ARGUMENTS

- 18.5 Those who raised the issue of absentee voting pointed out its impracticality in Queensland where there are 134 Local Authorities, 110 of which have two or more divisions, each of which has a separate voters' roll. The LGAQ (T766) pointed out that it is possible to have 685 separate elections in one day. An alternative suggestion is the extension of pre-poll voting for a longer period prior to an election. The Returning Officer currently has power to do this but is constrained by limits as to availability of rolls, ballot papers, etc.
- 18.6 A number of submissions recommended the extension of electoral visitor provisions now applicable to Brisbane City Council only, to all LAs. Brisbane City Council provided evidence at the hearing on 19 July 1990 regarding the operation of this system (T603-5):

*COMMISSIONER HUGHES: If I could pursue now the matter of electoral visitors with Alderman Ward just to get the full picture into the record: one, do electoral visitors go to nursing homes, or do you have a different arrangement with nursing homes?*

*ALDERMAN WARD: The electoral visitor does all the nursing homes and private residences.*

*COMMISSIONER HUGHES: So, to that extent it's a State variation on what the Commonwealth and other States do which is to go to nursing homes with mobile polling, but not to go to individual homes.*

*ALDERMAN WARD: Yes, it extends right through all eligible electors.*

*COMMISSIONER HUGHES: And the second question: what triggers off a decision to go to a private home? Now, presumably there is a list of nursing homes and the Returning Officers know that and they know they're going to have to go to these homes, and that would be planned, but to go and visit old Mrs Bloggs, how do they know now that she should be visited on this occasion?*

*ALDERMAN WARD: I suppose there is the past record, that there is a continuity of Returning Officers that can be looked at. Secondly, it is a fairly uniform function of the political parties to ensure that people who have cast a vote with an electoral visitor in the past are given the opportunity again and there is a certain level of contact between the parties about those people known to have voted in that fashion in the past.*

*COMMISSIONER HUGHES: So it's not a matter like a postal vote where you nip into the post office, get the form and send it in?*

*ALDERMAN WARD: There is an application form and that is generally delivered to the person, in our experience, at least, by major parties, by somebody who would deliver that form. The party drops out after the application form is signed, perhaps undertake to get that back to the Returning Officer and then drop out of the picture. The totality of the voting procedure then is handled by the Returning Officer, and he and his deputies then arrange for the vote to be cast at some later date.*

*COMMISSIONER HUGHES: These Returning Officers are regular salaried employees of the City Council deputed for that purpose, or are they ad hoc?*

**ALDERMAN WARD:** *As I understand it, they're generally Electoral Office people, public servants employed by the State and some Council officers ...*

**ALDERMAN ATKINSON:** *If I could just add in the sense of fleshing out this issue, the question you asked about getting - and the analogy between that nipping into a post office for a postal vote, quite often people ring up and say, 'I'm too frail,' or, 'I'm too old,' or their sons or their daughters ring up, so the initiative can be taken by the individual as well who can say, 'I would like an electoral visitor out to see me.'*

**COMMISSIONER HUGHES:** Thank you ...

**MR MACPHERSON:** *Just the cost of the electoral visitor votes: last election we had 10,403 that cost us \$43,648, that's just for your own information."*

- 18.7 Isisford Shire Council (S164) proposed that Returning Officers be given greater discretion in determining what is a valid vote:

*"The present system is too restrictive on those persons with failing or problem eye sight in that votes must be recorded mainly within the square. Council proposes that if the intention of the vote is clearly visible then the Returning Officer should have the discretion to accept the voter's intention and not disenfranchise that person. Persons suffering problem eye-sight may for instance record their votes alongside or partly within the squares and are thus informal even though their intention is clearly visible. It is this type of anomaly that Council proposes to overcome by relaxing the rules on acceptance of votes."*

- 18.8 Other suggestions in relation to casting of votes include that a tick or cross as well as a number should be accepted as a clear indication of a voter's intention and therefore as a valid vote. (See for example, Mrs L Rasmussen, S85.) Toowoomba City Council (S127) and others raised the possibility of electronic voting, but no specific proposals were put to the Commission in this regard.

#### ANALYSIS OF EVIDENCE AND ARGUMENTS

- 18.9 Having regard to the large number of separate contests it would be impractical to have absentee voting. Pre-poll voting is presently available for up to 14 days and seems to be a reasonable compromise. There should be provision for electoral visitors (as in Brisbane) in other LAs. It is important to provide facilities for the sick, elderly and infirm to enable them to vote when they are physically unable to attend a polling place. These facilities need not apply to postal voting.
- 18.10 At the discretion of the Returning Officer it should be possible to open one or more additional pre-poll voting centres for part or the whole of the 14 day period in order to assist electors who find travel to the Council office impractical or inconvenient.

## **Ballot Papers**

### **CURRENT SITUATION**

- 18.11 Names are currently listed on ballot papers in alphabetical order.

### **THE EVIDENCE**

- 18.12 A number of submissions pointed out that current practice discriminates in favour of those whose surname begins with letters at the beginning of the alphabet. Most such submissions proposed that there be a draw for position on ballot papers; for example, Crow's Nest Shire Council (S108) said:

*"Council considers that there should be a draw to determine where each candidate's name appears on the Ballot Paper, similar to the State and Federal election systems. The alternative would be a circular ballot paper. Council considers that the current alphabetical listing of candidates discriminates against those persons whose surnames begin with letters positioned mid-range within the alphabetical list of candidates."*

### **ANALYSIS OF EVIDENCE AND ARGUMENTS**

- 18.13 The Commission sees considerable merit in conducting a draw for positions on the ballot paper. No candidate should be permitted to derive political advantage from the alphabetical order of their surname. A draw is administratively simple and can be conducted with minimum cost and effort.

## **How to Vote Cards**

### **CURRENT SITUATION**

- 18.14 Rule 5A of Schedule 3 of the Local Government Act 1936-90 provides that:

*"(1) Any person who -*

- (i) prints, publishes or distributes any electoral advertisement, notice, handbill, pamphlet or card containing any representation of a ballot-paper or any representation apparently intended to represent a ballot-paper, and having thereon any directions intended or likely to mislead or improperly interfere with any elector in or in relation to the casting of his vote; or*
- (ii) prints, publishes or distributes any electoral advertisement, notice, handbill, pamphlet or card containing any untrue or incorrect statement intended or likely to mislead or improperly interfere with an elector in or in relation to the casting of his vote,*

*is guilty of an offence.*

*Penalty: \$100*

*(2) Nothing contained in sub-rule (1) prevents the printing, publishing or distributing of any card, not otherwise illegal, that contains instructions on how to vote for any particular candidate, provided those instructions are not intended or likely to mislead any elector in or in relation to the casting of his vote."*

- 18.15 Except for provisions relating to prohibited acts in the vicinity of the polling booth, there are no other specific provisions in the Local Government Act 1936-90 regarding distribution of how to vote cards. Neither does the Elections Act 1983-89 prohibit distribution of how to vote cards provided they are properly attributed and not misleading.

#### THE EVIDENCE AND ARGUMENTS

- 18.16 A number of submissions proposed that how to vote cards should be banned at Local Government elections; for example, the Civic Independent Group of Rockhampton (S258):

*"The Civic Independent Group strongly supports the abolition of the present practise whereby 'how to vote' cards are handed to each elector as they approach the polling booth. It is proposed that the handing out of 'how to vote' cards become an offence under the Local Government Act and that in each booth the 'how to vote' card on behalf of each candidate be placed behind perspex so that the information is available to all electors without being able to be defaced. The benefits of the adoption of this proposal would be a saving in manpower by all political organisations and the removal of a very obvious bias in favour of larger parties which have a large manpower resource to hand out 'how to vote' cards. The Group sees this substantially disadvantages smaller parties and independent candidates.*

*The abolition of handing out 'how to vote' cards would save on substantial cleaning and rubbish removal costs at the polling booths and would have a substantial saving in the amount of paper resources presently wasted in this exercise. The Group considers there is no useful purpose served by the present system and because of the obvious bias in favour of the larger political parties and its cost, particularly in resources, that the present practise must be outlawed."*

#### ANALYSIS OF EVIDENCE AND ARGUMENTS

- 18.17 Banning how to vote cards would place considerable restriction on the activities of political parties and civic groups outside polling booths and during elections. Whilst the Commission recognises that these activities may cause some electors irritation and inconvenience, the price of banning how to vote cards is too high, namely, an undue restriction on freedom of speech and political activity. This price also outweighs the environmental consequences of waste paper generation.

#### Privilege

#### CURRENT SITUATION

- 18.18 Currently Councils are not granted privilege similar to that enjoyed by State and Federal Parliaments. Essentially Parliamentary privilege gives Parliamentarians absolute privilege from the laws of defamation in relation to what they say in Parliamentary proceedings. Parliamentary privilege, however, extends beyond freedom of speech. It extends to freedom from arrest and molestation in certain circumstances.

## THE EVIDENCE AND ARGUMENTS

18.19 A number of LAs raised the issue of whether privilege as available to members of Parliament should be extended to Council members. For example, Chinchilla Shire Council (S206) proposed:

*"... some form of 'privilege' or 'protection' should be afforded Council representatives to allow them to continue to operate without fear or favour."*

Isisford Shire Council (S164) opposed this suggestion for the following reasons:

*"Council is concerned that privilege similar to that available to Federal and State members of Parliament would tend to divorce Local Government from its 'accountable role'. Accountability is one of the catch cries of government today and this Council recommends that the present system be maintained because of the accountability that comes with being answerable for one's own actions.*

*The present process makes allowance for discussion in private of internal reports and disciplinary procedures or whatever matter Council wants to discuss 'in committee' therefore Council suggests to maintain the present integrity and accountability of Local Government and its members actions rather than provide the extra protection of 'privilege' which lends itself to an aura of mystery and unfairness."*

## ANALYSIS OF EVIDENCE AND ARGUMENTS

18.20 The Commission agrees with the reasoning of the Isisford Shire Council. Local Authorities are not Parliaments in the Westminster sense. Further Parliamentary privilege is unique to Parliaments. Being a privilege which extends extraordinary protection (eg. from defamation law), it should not be extended further without compelling constitutional reasons.

### Recommendations

18.21 The Commission recommends that:

- (a) the electoral visitor provisions for Brisbane City Council should be extended to all LAs;
- (b) there should be a draw for positions on the ballot paper in all LA contests;
- (c) Returning Officers have the discretion to open one or more pre-polling booths for up to 14 days before polling day to assist electors who find travel to the Council office impractical or inconvenient.

## CHAPTER NINETEEN

### ABORIGINAL & TORRES STRAIT ISLANDER ISSUES

#### Interpretation of the Terms of Reference in Relation to ATSI Matters

- 19.1 Section 2.10 (1)(b) of the Electoral and Administrative Review Act 1989-90 provides that a function of the Electoral & Administrative Review Commission is:

*"... to investigate & report from time to time in relation to -*

- (i) the whole or part of the Local Authority electoral system; or*
- (ii) the whole or part of the Local Authority administration."*

In Section 1.3 (1) Local Authority is defined as:

*"...a body responsible for Local Government in any part of the State;"*

- 19.2 Under Section 25(1) of the Community Services (Aborigines) Act 1984 and Section 23(1) of the Community Service (Torres Strait) Act 1984, each Aboriginal and Islander Council:

*"...has and may discharge the functions of Local Government."*

- 19.3 It would appear that Aboriginal Councils and Torres Strait Islander Councils are bodies responsible for Local Government in various parts of the State and, therefore, are Local Authorities for the purposes of the Electoral and Administrative Review Act 1989-90. ATSI Councils therefore fall within the terms of reference under which EARC is conducting its reviews of Local Authority electoral systems and boundaries.
- 19.4 As noted in paragraph 3.21 above, Aurukun and Mornington Shires are deemed to be LAs under the Local Government Act and are not therefore classed as ATSI Councils. Aboriginal and Islander issues raised by these Councils will nevertheless be discussed in this Chapter.

#### THE ISSUES

- 19.5 Submissions were received from Aurukun Shire Council, the Aboriginal Co-ordinating Council (ACC) the Island Co-ordinating Council (ICC), the Aboriginal and Torres Strait Islands Commission (ATSIC) and other Aboriginal and Islander organizations. Submissions from a number of other organisations and individuals raised issues they believe to be of concern in regard to ATSI people and their relationship to Local Government in Queensland. The following is a summary of the main issues raised.

## QUALIFICATIONS TO VOTE

- 19.6 Aurukun Shire Council (S356) was concerned that the current resident qualifications to vote in Council elections is unacceptable under Aboriginal law, which gives owners of land, rather than residents, full right of control over their land. The ACC (S202) proposed that more stringent rules apply to resident status for residents of Aboriginal Communities. ATSI (S340) also supported more stringent residential qualifications.

## VOTING SYSTEM

- 19.7 A number of submissions pointed out that neither first past the post nor preferential voting systems readily encourage the election to mainstream Councils of representatives of minority groups, and recommended proportional representation as the best voting system to action this objective.

## DIVISIONAL ARRANGEMENTS

- 19.8 Divisions are not currently used by ATSI Councils or by Aurukun and Mornington Shire Councils. Both the ACC (S202) and the ICC (S380) as well as Aurukun Shire Council (S356) made reference to the social structure of Aboriginal and/or Island communities, including tribal and Clan composition of these communities. They pointed to the need to discuss these issues in depth to ensure adequate flexibility is built into legislative provisions regarding divisional arrangements to allow social factors to be satisfactorily accommodated.

## ELECTION OF CHAIRMAN

- 19.9 Currently, the Chairman of each ATSI Council is elected indirectly by members of the Council and may be removed and replaced in like manner. The ICC (S380) proposed that Chairmen be elected directly by popular vote, as occupiers of these positions have a number of other representational functions including membership of ICC. The ICC also proposes that Chairmen be full-time and salaried.

## SIZE OF COUNCIL MEMBERSHIP

- 19.10 The size of each Torres Strait Island Council is set by legislation and ranges from 2 to 5 members including the Chairman. The ICC (S380) states that it is believed that these numbers are inadequate, but does not propose any change prior to further discussion.

The size of Aboriginal councils is set by legislation at 5 members including the Chairman. The ACC (S202) believes this is inappropriate due to varying size and tribal composition of Aboriginal communities, and recommends flexibility so that such factors can be taken into account.

### LIMITATIONS ON CANDIDATURE

- 19.11 Aurukun Shire Council (S356) believes the current exception in Section 7(2) of the Local Government Act (which allows Aboriginal employees funded from certain grants to be candidates for election) should be expanded to cover employment of Aborigines regardless of funding sources.
- 19.12 The ICC (S380) proposes that a longer residency qualification be applied to potential candidates, who they believe should also be persons of Islander descent.

### POWERS OF THE STATE GOVERNMENT

- 19.13 Currently under the Community Services (Aborigines) Act 1984 and the Community Services (Torres Strait) Act 1984, the Governor in Council has extensive powers to dismiss Councillors, appoint administrators and order fresh elections. The ACC proposes that these powers, whether in the hands of an independent body or the State Government, should be legally exercised only after consultation with a body representative of all Aboriginal communities in Queensland.

### THE NEED FOR SEPARATE CONSULTATION/CONSIDERATION

- 19.14 Many of the submissions which discussed ATSI issues placed major emphasis on the need to fully consult with ATSI people before making any decisions on Local Authority electoral matters which may affect ATSI people. They also strongly stated that this consultation must be conducted with sufficient time and resources to ensure it is done properly.
- 19.15 Many of the issues raised by ATSI groups and others are not related only to the electoral system, nor are they clearly only external boundary issues. For instance, there are a number of matters arising out of the fact that Aboriginal and Island Councils only have jurisdiction over land which is under a Deed of Grant in Trust (DOGIT); questions about the relationship between ATSI Councils and mainstream Local Authorities; and considerations regarding the functions of ATSI Councils and the ACC and ICC and the relationship of these bodies to State and Federal levels of government.
- 19.16 The complexity of these issues and the need to consider them fully points to the necessity for separate consideration of all ATSI-related matters. EARC does not possess the resources to fully investigate these matters. Considerable commitment of resources is essential before any further investigation is pursued.
- 19.17 The Commission notes that the Department of Family Services and Aboriginal and Islander Affairs proposes to conduct an inquiry into Local Government in ATSI communities in Queensland. The Commission considers that, subject to the application of the principles set out in Chapter 6 above, the ATSI issues should be considered in the context of the departmental inquiry. The inquiry gives greater scope for:

- (a) dealing with the ATSI communities in a more comprehensive and integrated approach (rather than just electoral matters as is the case here);
- (b) the extensive consultation required with ATSI communities; and
- (c) taking into account ATSI laws and customs in electoral systems.

#### **TORRES SHIRE COUNCIL**

19.18 Finally, there is the anomalous position of the Torres Shire Council (S205). The Commission considers that Queensland can take no pride in the fact that this Shire has been under administration since 1952 (T412). Torres Shire Council should be taken out of administration and restored to full Local Authority status as soon as practicable and certainly before the 1991 elections.

#### **Recommendations**

19.19 The Commission recommends that

- (a) Torres Shire Council should be restored to full Local Authority status as soon as practicable prior to the 1991 elections;
- (b) Any future investigation by this Commission of ATSI Local Government matters to be adequately funded;
- (c) The inquiry proposed by Department of Family Services and Aboriginal and Islander Affairs consult with this Commission on any electoral issues.

## CHAPTER TWENTY

### SUMMARY OF RECOMMENDATIONS AND IMPLEMENTATION

#### Summary of Recommendations

- 20.1 In the course of this report the Commission has made the following recommendations, namely:
- (a) the 1991 elections be conducted on existing voter qualifications, but thereafter the matter be reviewed in the light of the Commission's recommendations in relation to joint electoral rolls;
  - (b) the existing law relating to voting systems apply for the 1991 Local Government elections; thereafter
    - (i) the voting system for Mayors and Chairmen be either first past the post where this is used for the election of members or optional preferential in all other cases;
    - (ii) optional preferential voting for members in LAs which are divided into single-member divisions;
    - (iii) first past the post voting for members in LAs with multiple member or mixed (that is both single- and multi-member) divisions;
    - (iv) proportional representation using the Hare Clark system for members in undivided LAs with electors being required to indicate at least as many preferences as there are vacancies to be filled;
    - (v) electors of an LA should be able to change to any one of the three voting systems referred to in paragraph (b) provided a majority of electors support such a change at a poll conducted at the initiation of the Council or following a petition from 10% of the electors;
  - (c) as soon as practicable and no later than the end of 1992, statutory provisions should require that divisional boundaries within LGAs be drawn to ensure that equal suffrage applies with a tolerance of no more than 10% from quota in the case of all Cities and Towns, and Shires with an enrolment of 10,000 or more; and no more than 20% from quota in the case of remaining Shires ('Cities' includes Brisbane);
  - (d) in the light of the imminence of the 1991 elections and the practical difficulties referred to in Chapter Six,
    - (i) any LA be free to submit proposals to the Minister under existing arrangements to achieve equal suffrage within the tolerances specified in paragraph (c);

- (ii) the LAs identified in Appendix I to this Report with a Dauer-Kelsay Index of less than 45% must forthwith either adopt the divisional and representative arrangements specified in that Appendix or submit a proposal to the Minister which otherwise satisfies the requirements of paragraph (c) above;
  - (iii) if an LA identified in Appendix I fails to secure the Minister's approval or adopt the specified arrangements by 31 December 1990, the 1991 elections for that LA should be held on an undivided basis using the currently prescribed voting system;
- (e) subject to its recommendations (b), (c) and (d),
- (i) existing divisional arrangements in LAs should continue for the 1991 elections;
  - (ii) thereafter, LAs may either continue current arrangements or adopt any one of the following divisional arrangements:
    - A. undivided;
    - B. single-member divisions;
    - C. mixed divisions: multi-member, or single- and multi-member,provided such adoption is approved by a majority of electors in the LGA at a poll on the issue, initiated by the Council itself or by a petition of at least 10% of electors;
- (f) pending the outcome of the Commission's external boundaries review, the current provisions for changing divisional boundaries continue;
- (g) compulsory voting continue in Local Government elections, and that the penalty for non-voting remain at one penalty unit (currently \$60.00);
- (h) the direct election of Mayor/Chairman continue;
- (i) in relation to the filling of vacancies:
- (i) in the first two years of term vacancies in the office of Mayor/Chairman be filled by means of a by-election;
  - (ii) in the last year of term, vacancies in the office of Mayor/Chairman should be filled by the Deputy Mayor or the Deputy Chairman;
  - (iii) vacancies for other Aldermen/Councillors be filled by means of a by-election, except that in the last year of a Council's term such vacancies should be filled:
    - A. in the case of an Alderman or Councillor who ran for office as a member of a political party or electoral team, by the nominee of that party or team;

- B. in all other cases, by the next available candidate who secured the highest number of votes in the relevant division or area.
- (iv) in relation to A, persons nominating for office be required to state their party or team affiliation on the nomination form;
  - (v) in relation to B, if there is no available candidate, the Council should make an appointment;
- (j) in relation to the closure of rolls:
- (i) rolls should close on 31 January prior to the election except for LAs conducting postal ballots (in whole or in part) where the rolls should close on 31 December ; and
  - (ii) in the case of LAs conducting a postal ballot, the closure of the poll may be extended up to 14 days after polling day at the discretion of the Returning Officer;
- (k) the term of LAs remain at 3 years, but if the term of the Legislative Assembly is extended to 4 years the term of Councils should also be extended to 4 years;
- (l) the current practice of holding simultaneous elections for all LAs on a fixed day in March or April continue;
- (m) the minimum and maximum number of Councillors for all LAs in Queensland be 5 and 13 respectively, except for Brisbane which should remain at 27 Aldermen (including the Lord Mayor);
- (n) in relation to restrictions on candidature for office:
- (i) Federal and State Parliamentarians should not be permitted to occupy (or continue to occupy) elected office in Local Government in Queensland;
  - (ii) Employees of all LAs should be permitted to stand for election, but must resign if elected. Employees who nominate for Council office should be granted leave of absence during the election period;
- (o) the present practice of Town/Shire Clerks conducting elections should continue. The Commission further recommends that there should be provision for an officer supplied by the State Electoral Office to act as a Returning Officer where:
- (i) the Clerk is unable to perform the relevant duties for workload reasons; or
  - (ii) the Clerk is in a conflict of interest situation;
- (The current arrangements for Brisbane should continue.)

- (p) there be an independent body to review and monitor Local Government electoral and boundary (both internal and external) matters. The precise composition, nature and functions of this body will be developed, after appropriate public comment, in the course of the Commission's external boundaries review;
- (q) the electoral visitor provisions for Brisbane City Council should be extended to all LAs;
- (r) there should be a draw for positions on the ballot paper in all LA contests;
- (s) Returning Officers have the discretion to open one or more pre-polling booths for up to 14 days before polling day to assist electors who find travel to the Council office impractical or inconvenient;
- (t) Torres Shire Council should be restored to full Local Authority status as soon as practicable prior to the 1991 elections;
- (u) Any future investigation by the Commission of ATSI Local Government matters be adequately funded; and
- (v) the inquiry proposed by the Department of Family Services and Aboriginal and Islander Affairs consult with the Commission on any electoral matters.

### **Implementation**

- 20.2 The Commission is conscious that there is limited time to implement many of the recommended changes prior to the 1991 Local Government elections. Sufficient time needs to be allowed for the Parliamentary Committee for Electoral and Administrative Review to consider this Report and make its report to the Parliament. Further, there is limited time for the Parliament to debate any legislation which might result from the adoption of the recommendations.
- 20.3 However, the extent of malapportionment is so serious in many Queensland LAs, that the continued conduct of elections on those divisional/representational arrangements cannot be justified. Accordingly, the Commission considers recommendations (c) and (d) above should be given effect to prior to the 1991 elections.
- 20.4 In relation to the other recommendations referred to above the Commission considers it desirable that they be implemented before the 1991 elections but, if that is not possible, they should be implemented no later than August 1991.

## CHAPTER TWENTY-ONE

### ACKNOWLEDGEMENTS AND CONCLUSIONS

- 21.1 The Commission wishes to express its appreciation to all those persons and organisations who provided their views to the Commission. Although the views of many were not specifically referred to in this Report all submissions and evidence were taken into account. Public input is crucial to the Commission's review process and the Commission benefited greatly from it.
- 21.2 The Commission also wishes to express its appreciation to the following members of its staff who assisted the Commission in the conduct of this review, namely, Laureen Harris, Rae Norris, Jacoba Brasch, Kate Peters, Lee Anne Ratliffe and Jennifer Kindt; and particularly to its consultant, Mr J D Tucker, Department of Government, University of Queensland.
- 21.3 Finally, this Report was adopted unanimously at a meeting of the Commission held on 7 September 1990. All Commissioners - the Chairman, Commissioner Hall, Commissioner Hughes, Commissioner Hunter and Commissioner Watson Blake - were present at the meeting.



**TOM SHERMAN**  
**Chairman**

9 September 1990



Parliament House  
BRISBANE

30 March 1990

Mr T A Sherman  
Chairman  
Electoral and Administrative Review  
Commission  
Level 9  
85 George Street  
BRISBANE Q 4000

Dear Mr Sherman

In accordance with a Resolution agreed to by the Parliament of Queensland on the 29th March 1990, I forward to you, for your attention, a copy of that Resolution.

Yours sincerely

A handwritten signature in black ink, appearing to read "D. Fourn".

Speaker  
Queensland Parliament

enc



Resolution agreed to by the Parliament of Queensland

on 29 March 1990

That this Legislative Assembly, pursuant to the provisions of section 2.10(4) of the *Electoral and Administrative Review Act 1989*; authorises the Electoral and Administrative Review Commission to undertake investigations in accordance with section 2.10(1)(b) of the said Act into -

- (a) the whole of the Local Authority electoral system of Queensland and, in particular, whether such Local Authority electoral system provides for fair and equitable representation for all electors of Queensland and, if not, what Local Authority electoral system should be introduced to achieve such representation;
- (b) that part of Local Authority administration as relates to the factors affecting the determination of the areas of Local Authorities and, in particular, whether the existing boundaries of the areas of Local Authorities are the most appropriate having regard to fair and equitable representation for all electors and the proper, economically viable and efficient discharge of the responsibilities of each Local Authority and, if not, what changes (including amalgamation) are necessary or desirable in order to achieve such fair and equitable representation for all electors and the proper, economically viable and efficient discharge of the responsibilities of each Local Authority;

and further request that reports of such investigations be submitted to this Assembly, so far as is possible, by -

- (i) August 17, 1990 in relation to the matters in paragraph (a);
- (ii) July 1, 1991 in relation to the matters in paragraph (b).

Speaker  
Queensland Parliament

The Clerk of the Parliament




---

**Electoral and Administrative Review Commission**


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Level 9, Capit  
85 George  
Brisban

P.O. B  
North Quay Q

Telephone: (07) 23  
Facsimile: (07) 23

51/347

6 August 1990

The Hon J Fouras, MLA  
Speaker of the Legislative  
Assembly of Qld  
Parliament House  
BRISBANE QLD 4000

Dear Mr Speaker

I refer to the Legislative Assembly resolution of 29 March 1990 which, inter alia, authorised this Commission to undertake an investigation into the Local Authority Electoral System of Queensland. That resolution requested that the Commission's report on the Local Authority Electoral System of Queensland be submitted to the Assembly, so far as is possible, by 17 August 1990.

As you may be aware this Commission has been concerned for sometime with the tightness of the deadline. The public hearings concluded on 20 July. Since that time the Commission has been assessing the oral and documentary evidence furnished to the Commission. At its meeting on 3 August, the Commission concluded that it would not be able to furnish a report by 17 August. A considerable amount of work is still required to furnish a report of appropriate quality. Accordingly, this Commission is planning to adopt the report at its regular meeting on 7 September 1990 and furnish its report to yourself, Mr Foley and the Premier as soon as practicable after that date.

At this stage I am hopeful that the report can be so furnished no later than Monday, 10 September 1990.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Tom Sherman'.

TOM SHERMAN  
Chairman

CC Hon Wayne Goss, MLA  
Premier of Queensland  
BRISBANE

Hon Tom Burns, MLA  
Deputy Premier and Minister for Housing and  
Local Government  
BRISBANE

Mr M Foley, MLA  
Chairman, Parliamentary Committee  
for Electoral and Administrative Review  
Parliament House  
BRISBANE

LOCAL AUTHORITY ELECTORAL REVIEWPUBLIC SUBMISSIONS

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
1	Ald D. Gleeson Mayor	Thuringowa City Council PO Box 86 THURINGOWA CENTRAL QLD 4817	17/10/89
2	Jo Hobbs	Chamber of Commerce PO Box 223 BRIBIE ISLAND QLD 4507	26/03/90
3	K.C. Rafter Shire Clerk	Widgee Shire Council PO Box 155 GYMPIE QLD 4570	30/03/90
4	Ald D. Gleeson Mayor	Thuringowa City Council PO Box 86 THURINGOWA CENTRAL QLD 4817	02/04/90
5	Chris Griffith	Citizens for Democracy PO Box 998 TOOWONG QLD 4066	02/04/90
6	Norbert Schlaefer	PO Box 295 CLEVELAND QLD 4163	04/04/90
7	Web Flockton	Craignish and Carls Rd MS 347 Dundowran HERVEY BAY QLD 4655	10/04/90
8	M.D. Passmore	PO Box 162 STANTHORPE QLD 4380	18/04/90
9	Harrison H. Duncan	PO Box 735 CHARTERS TOWERS QLD 4820	17/04/90
10	J. Boxsom Secretary	Australian Labor Party Dalby Branch 13 Swan Street DALBY QLD 4405	17/04/90
11	C.B. Quartermaine	Merluna Cattle Station P/L "Merluna Station" PMB CAIRNS QLD 4870	23/04/90
12	C.M. Dorrington	49 McAlister Street OONOONBA QLD 4811	23/04/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
13	A.G. Clarke Secretary	Dispute Committee 53 Banks Pocket Road GYMPIE QLD 4570	26/04/90
14	A.G. Clarke Secretary	Dispute Committee 53 Banks Pocket Road GYMPIE QLD 4570	26/04/90
15	Kevin J. Dutton Elector of Qld	48 Anne Street CHARTERS TOWERS QLD 4820	26/04/90
16	Hon. Sir Thomas Hiley KBE	"Illawong" 39 The Esplanade TEWANTIN QLD 4565	26/04/90
17	Barry Yau	13 Fountain Drive NARRE WARREN VIC 3805	26/04/90
18	Carolyn Duffy	94 Maryborough Street BUNDABERG QLD 4670	27/04/90
19	Ray C. Currie Shire Clerk	Kilkivan Shire Council PO Box 9 KILKIVAN QLD 4600	27/04/90
20	A.J. Gunn Town Clerk	Thuringowa City Council PO Box 86 THURINGOWA CENTRAL QLD 4817	30/04/90
21	Phillip Long	MS 224 TOOWOOMBA QLD 4352	01/05/90
22	Lincoln Madden	21 Kilmorey Street CARINDALE QLD 4152	01/05/90
23	V.D. Burnett	The Homestead Rathburnie Estate LINVILLE QLD 4306	10/05/90
24	Peter Couglin	20 Glode Avenue CHURCHILL QLD 4305	01/05/90
25	P. Camilleri & J.T. McLoughlin	23 Endeavour Street, DECEPTION BAY Tinney Road, MORAYFIELD QLD 4506	02/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
26	Gwen Warren	22 Danina Street MANSFIELD QLD 4122	03/05/90
27	Tom Knox	Tom Knox & Co PO Box 357 DALBY QLD 4405	04/05/90
28	Tony Tubbenhauer	A.R. and K.M. Tubbenhauer 4 Somerville Street BURNETT HEADS QLD 4670	04/05/90
29	R.F. Diamond	Cherryfields Road GRACEMERE QLD 4702	11/05/90
30	J.P. Cuddihy Town Clerk	Warwick City Council PO Box 26 WARWICK QLD 4370	04/05/90
31	Alison Heathwood	PO Box 16 CROWS NEST QLD 4355	04/05/90
32	Ald Keith Thompson Deputy Mayor	Gold Coast City Council PO Box 5042 GOLD COAST MAIL CENTRE QLD 4217	09/05/90
33	L.H. Schuurs Shire Clerk	Murilla Shire Council PO Box 144 MILES QLD 4415	08/05/90
34	Michael F. Yonwin	29 Leon Street THORNESIDE QLD 4158	09/05/90
35	P. Wyche Chairman	Bowen Shire Council PO Box 306 BOWEN QLD 4805	09/05/90
36	John Russell	16 Orchis Drive EAGLE HEIGHTS QLD 4271	09/05/90
37	Dorothy Bates	85 Palm Beach Avenue PALM BEACH QLD 4221	09/05/90
38	Pam Soper Project Officer	Wide Bay Burnett Conservation Council Watson's Road, Kelly's Creek BARGARA QLD 4670	11/05/90
39	Charles Broughton	48 Gillinoter Street ROCKHAMPTON QLD 4700	09/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
40	John S. Kennedy	Lot 21, Fahey's Road West ALBANY CREEK QLD 4035	09/05/90
41	Alan Skyring Chartered Engineer	9 Alkina Street KENMORE QLD 4069	09/05/90
42	Thallon Progress Association	C/-John Stone 88 Victoria Street ST GEORGE QLD 4487	08/05/90
43	John Stone	88 Victoria Street ST GEORGE QLD 4487	09/05/90
44	Alan Bambrick	253 Elphinstone Street NORTH ROCKHAMPTON QLD 4701	11/05/90
45	B.R. Glen Director	Byron Glen Design Pty Ltd PO Box 107 MISSION BEACH QLD 4854	09/05/90
46	Rasjad Moore	PO Box 279 WEST END QLD 4101	09/05/90
47	N.D. Cameron	Mt Moore GULUGUBA QLD 4416	09/05/90
48	Edward Philip Weller	9 Blaxland Street EASTERN HEIGHTS QLD 4305	09/05/90
49	S.G. Mead Shire Clerk	Diamantina Shire Council BEDOURIE QLD 4829	09/05/90
50	Ray Phillips Councillor	Crow's Nest Shire Council C/-Post Office HIGHFIELDS QLD 4352	09/05/90
51	Bruce Laming	38 Adaluma Avenue BUDDINA BEACH QLD 4575	09/05/90
52	Paul Reynolds Senior Lecturer in Political Science	Department of Government The University of Queensland ST LUCIA QLD 4067	09/05/90
53	R.H. Brown	12 Julie Way MUDGEERABA QLD 4213	10/05/90
54	B.R. Searle	Lot 258, Silver Ash Road COW BAY QLD 4873	10/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
55	L.G. & S.F. Wilson	40 Adaluma Avenue BUDDINA QLD 4575	14/05/90
56	Arnold Sandell	Lot 85 Greensward Road TAMBORINE QLD 4270	10/05/90
57	Robert Cork Ald Div 1	Caloundra City Council PO Box 164 MALENY QLD 4552	10/05/90
58	Terry & Jean Saxby	59 Pacific Boulevard BUDDINA BEACH QLD 4575	14/05/90
59	Captain R Owens	38 Mawarra Street BUDDINA BEACH QLD 4575	14/05/90
60	V. Phipps	52 Beltana Crescent BUDDINA QLD 4575	14/05/90
61	Gail M. Alford	493 Nicklin Way WURTULLA BEACH QLD 4575	14/05/90
62	J.O.S. Bell & M.A. Bell	33 Koorungal Crescent BUDDINA QLD 4575	14/05/90
63	I.M. Craw	10 Adaluma Avenue BUDDINA QLD 4575	14/05/90
64	A. & B. Lahey	5 Narambi Street WARANA QLD 4575	14/05/90
65	J. & E. Cross	7 Narambi Street WARANA QLD 4575	14/05/90
66	J. & M. Cadzow	3 Narambi Street WARANA QLD 4575	14/05/90
67	Darryl Smith	11 Cypress Court MINYAMA QLD 4575	14/05/90
68	N.R. & P. Treleaven	PO Box 62 MOOLOOLAH VALLEY QLD 4553	14/05/90
69	P.M. Dodd	37 Mooloolah Drive MINYAMA WATERS	14/05/90
70	B.J. & M. Rogers	93 Mooloolah Drive MINYAMA QLD 4575	14/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
71	A.N. Dawson	7 Harbour Parade BUDDINA QLD 4575	14/05/90
72	D.K. & B.M. Dixon	2 Undara Avenue BUDDINA QLD 4575	14/05/90
73	P.J. & V.B. Shanahan	9 Jessica Boulevard MINYAMA WATERS QLD 4575	14/05/90
74	N.L. & B. Ashton	22 Napalle Street WARANA QLD 4575	14/05/90
75	R.S.C. Johnston	18 Winchester Road Little Mountain CALOUNDRA QLD 4551	14/05/90
76	M. Davis	132 Mooloolah Connection Rd GLENVIEW QLD 4553	14/05/90
77	A.F. Dernelley	44 Mulgani Street WARANA BEACH QLD 4575	14/05/90
78	S.Y. Dennison	7 Coonang Crescent KAWANA WATERS QLD 4575	14/05/90
79	Grahame R. Harvey	29 Barellan Avenue BUDDINA BEACH QLD 4575	14/05/90
80	A. & D. Nicholas	9 Harbour Parade BUDDINA BEACH QLD 4575	14/05/90
81	R.F. & D.R. Butt	25 Oceanic Drive WARANA QLD 4575	14/05/90
82	B.C. & I.F. Taggart	13 Parkana Crescent BUDDINA QLD 4575	14/05/90
83	Ian F. Doessel	12 Whiting Street WOODGATE QLD 4660	14/05/90
84	M.J. Rowe Acting Shire Clerk	Mount Morgan Shire Council PO Box 15 MOUNT MORGAN QLD 4714	14/05/90
85	Lyn Rasmussen	10 Spalla Drive PROSERPINE QLD 4800	14/05/90
86	Hon. D.J. Slack, MLA Member for Burnett	Electorate Office PO Box 705 BUNDABERG QLD 4670	14/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
87	G.P. Sorensen Shire Clerk	Esk Shire Council PO Box 117 ESK QLD 4312	14/05/90
88	Garry Hooper Council Clerk	Cherbourg Community Council C/-Post Office CHERBOURG QLD 4605	14/05/90
89	A.J. Bambling Secretary	Gayndah District Committee of the Graziers Association of South East Queensland C/-Penwhaupell GAYNDAH QLD 4625	14/05/90
90	John Hooper Shire Clerk	Banana Shire Council PO Box 412 BILOELA QLD 4715	14/05/90
91	John Smith Chairman	Etheridge Shire Council PO Box 12 GEORGETOWN QLD 4871	14/05/90
92	Laby Gibbs	30 Lodge Road CREMORNE NSW 2090	14/05/90
93	A.W. Keates Shire Clerk	Wondai Shire Council PO Box 42 WONDAI QLD 4606	14/05/90
94	Michael Bryan	79 McManus Street CAIRNS QLD 4870	14/05/90
95	R. Smith Shire Clerk	Calliope Shire Council Don Cameron Drive CALLIOPE QLD 4680	14/05/90
96	Henry Day	Fairbairn Dam Village Road EMERALD QLD 4720	14/05/90
97	D.A. Byrnes Town Clerk	Bundaberg City Council PO Box 538 BUNDABERG QLD 4670	14/05/90
98	A.J. Twomey Shire Clerk	Douglas Shire Council PO Box 357 MOSSMAN QLD 4873	14/05/90
99	K.J. Moran	Musgrave Street BURKETOWN QLD 4830	14/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
100	D.L. Neville Secretary	Marian Mill Suppliers' Committee PO Box 117 MACKAY QLD 4740	14/05/90
101	John O. Fiedler	16 Fraser Street DUNWICH QLD 4183	14/05/90
102	Tracey Arklay, Chris Griffith & Noel Turner Coordinators	Citizens for Democracy PO Box 998 TOOWONG QLD 4066	14/05/90
103	P.D. Day	3/24 Croydon Street TOOWONG QLD 4066	15/05/90
104	L.T. Messer	1 Saleyards Road GYMPIE QLD 4570	15/05/90
105	E.D. Jensen	Mail Service 305 INNES PARK VIA BUNDABERG QLD 4670	15/05/90
106	J. Page Hon. Secretary	Dunwich Progress Association C/-Post Office DUNWICH, NORTH STRADBROKE ISLAND QLD 4163	15/05/90
107	R.B. Kernke Shire Clerk	Woongarra Shire Council PO Box 540 BUNDABERG QLD 4670	15/05/90
108	I.A. O'Donnell Shire Clerk	Crow's Nest Shire Council PO Box 35 CROW'S NEST QLD 4355	15/05/90
109	P.C. Bougoure Shire Clerk	Tara Shire Council PO Box 21 TARA QLD 4421	15/05/90
110	Cr J. Weller	PO Box 82 GAYNDAH QLD 4625	16/05/90
111	N.L.S. Winks, R.T. Knights, & J. Brindley Division 3 Councillors	Balonne Shire C/-R.T. Knights Acme Downs BOLLON QLD 4488	16/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
112	G.C. Brown Councillor, Division 1	Widgee Shire Council 6 Stewart Road WOLVI VIA GYMPIE QLD 4570	16/05/90
113	R. Knopke Shire Clerk	Kingaroy Shire Council PO Box 336 KINGAROY QLD 4610	16/05/90
114	G. Victor Shire Clerk	Barcoo Shire Council Shire Office JUNDAH QLD 4736	16/05/90
115	L.G. Lee	14 Blue Water Avenue THORNLANDS QLD 4164	16/05/90
116	A.J.D. Bell Mayor	Gold Coast City Council PO Box 5042 GOLD COAST MAIL CENTRE QLD 4217	16/05/90
117	R.C. French	PO Box 82 THEODORE QLD 4719	16/05/90
118	Garth Harrigan	43 Elizabeth Street AITKENVALE QLD 4814	16/05/90
119	Ellie Durbidge Secretary	Stradbroke Island Management Organization PO Box 8, Point Lookout NTH STRADBROKE ISLAND QLD 4183	16/05/90
120	Ron Dingle	MS 882 GIN GIN QLD 4671	16/05/90
121	B.W. Ede Shire Clerk	Cambooya Shire Council PO Box 21 GREENMOUNT QLD 4359	16/05/90
122	L. Miller President	Ratepayers and Residents Association C/-Lot 8, Graham Colyer Drive AGNES WATER QLD 4677	16/05/90
123	P.E. Pechey	21 Gleabar Road THE PALMS VIA GYMPIE QLD 4570	15/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
124	T.C Toh, Ron James & John Tate	20 Theodolite Creek Drive WOODGATE 4660 30 Theodolite Creek Drive WOODGATE 4660 121 The Esplanade WOODGATE QLD 4660	16/05/90
125	T.R. Moore Shire Clerk	Albert Shire Council PO Box 172 NERANG QLD 4211	16/05/90
126	Gayle M. Hannah	44 Old Kennedy Highway KURANDA QLD 4872	17/05/90
127	I.R. Farr Town Clerk	Toowoomba City Council Town Hall, PO Box 3021 TOOWOOMBA QLD 4350	17/05/90
128	K.C. Rafter Shire Clerk	Widgee Shire Council PO Box 155 GYMPIE QLD 4570	17/05/90
129	I.C. Flint Acting Shire Clerk	Boonah Shire Council PO Box 97 BOONAH QLD 4310	17/05/90
130	I. Fien Town Clerk	Redcliffe City Council PO Box 66 REDCLIFFE QLD 4020	17/05/90
131	Noel Playford Chairman	Noosa Shire Council PO Box 141 TEWANTIN QLD 4565	17/05/90
132	P.J. McKenzie Town Clerk	Roma Town Council PO Box 116 ROMA QLD 4455	17/05/90
133	G.J. Webb Shire Clerk	Burdekin Shire Council PO Box 974 AYR QLD 4807	17/05/90
134	G.E. Reid Shire Clerk	Laidley Shire Council PO Box 75 LAIDLEY QLD 4341	17/05/90
135	C.A. Rowe	PO Box 445 YEPPOON QLD 4703	17/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
136	R.F. Becker Town Clerk	Hervey Bay City Council PO Box 45 TORQUAY QLD 4655	17/05/90
137	W.E. Fox Chairman	Lowood & Area Progress Association PO Box 30 LOWOOD QLD 4311	17/05/90
138	Betty Ward Hon. Secretary	Laidley Shire Senior Citizens Club Inc. 2 Herbert Street LAIDLEY QLD 4341	17/05/90
139	N.J.T. Craswell Shire Clerk	Moreton Shire Council PO Box 192 IPSWICH QLD 4305	17/05/90
140	Arnold M. Tate	PO Box 66 MAROOCHYDORE QLD 4558	17/05/90
141	Jenny Cooke-Bramley Councillor	Redland Shire Council PO Box 15 POINT LOOKOUT QLD 4183	17/05/90
142	D.C. May Shire Clerk	Pine Rivers Shire Council PO Box 70 STRATHPINE QLD 4500	17/05/90
143	Grant Hammer Secretary	The Maleny Society PO Box 12 MALENY QLD 4552	17/05/90
144	Walter J. Lewer A.M.	1 Mayleen Street CLONTARF QLD 4019	17/05/90
145	Ken Underwood	25 Willaura Drive COOMINYA QLD 4311	17/05/90
146	K.J. Whelan Shire Clerk	Tiaro Shire Council Mayne Street TIARO QLD 4650	17/05/90
147	Graham Kennaugh Shire Clerk	Rosenthal Shire Council MS 1003 WARWICK QLD 4370	17/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
148	L.N. McConnell Acting Town Clerk	Goondiwindi Town Council PO Box 92 GOONDIWINDI QLD 4390	17/05/90
149	N.A. McCrindle Shire Clerk	Waggamba Shire Council PO Box 212 GOONDIWINDI QLD 4390	17/05/90
150	Drew Hutton	Queensland Conservation Council PO Box 238 NORTH QUAY QLD 4002	17/05/90
151	R.G. Bulley Shire Clerk	Warroo Shire Council PO Box 63 SURAT QLD 4417	17/05/90
152	A. E. Staal Chairman	Emerald Shire Council PO Box 21 EMERALD QLD 4720	17/05/90
	A. E. Harvey Councillor, Division 2	Emerald Shire Council PO Box 21 EMERALD QLD 4720	17/05/90
153	M.R. Shelton Shire Clerk	Bauhinia Shire Council PO Box 19 SPRINGSURE QLD 4722	17/05/90
154	S.B. Fursman Town Clerk	Mackay City Council PO Box 41 MACKAY QLD 4740	17/05/90
155	R.W. Irvine Town Clerk	Gympie City Council PO Box 195 GYMPIE QLD 4570	17/05/90
156	P. Skelton President	Noosa Shire Residents' & Ratepayers' Association PO Box 94 NOOSA HEADS QLD 4567	17/05/90
157	William J. Jones	PO Box 188 BUDERIM QLD 4556	17/05/90
158	James Akee Chairman	Torres United Party PO Box 225 THURSDAY ISLAND QLD 4875	17/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
159	Karen Schmidt Secretary	Movement for Responsible Coastal Development PO Box 919 TULLY QLD 4854	17/05/90
160	Hans Dostergo President	Marlin Coast Combined Ratepayers Association C/-PO Box 115 YORKEYS KNOB QLD 4878	17/05/90
161	W.J. Ritchie Shire Clerk	Barcaldine Shire Council PO Box 191 BARCALDINE QLD 4725	18/05/90
162	K.W. Stuckey Shire Clerk	Beaudesert Shire Council PO Box 25 BEAUDESERT QLD 4285	18/05/90
163	R.A. Hollands Shire Clerk	Nanango Shire Council PO Box 10 NANANGO QLD 4615	18/05/90
164	W.A. Saxvik Shire Clerk	Isisford Shire Council PO Box 4 ISISFORD QLD 4731	17/05/90
165	A.J. Brown Shire Clerk	Livingstone Shire Council PO Box 600 YEPPON QLD 4703	17/05/90
166	B.K. & J.W. Lawless-Pyne	5 Camargue Alexandra Parade MAROOCHYDORE QLD 4558	17/05/90
167	Bill Martin Secretary	Division 1 Ratepayers & Electors Association MS 706 BROOWEENA QLD 4620	17/05/90
168	L.R. Carrett Shire Clerk	Bowen Shire Council PO Box 306 BOWEN QLD 4805	17/05/90
169	Jon Wren	PO Box 868 BOWEN QLD 4805	17/05/90
170	John McDonald City Solicitor	Townsville City Council PO Box 1288 TOWNSVILLE QLD 4810	17/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
171	E.M. Adamson Shire Clerk	Cloncurry Shire Council PO Box 3 CLONCURRY QLD 4824	17/05/90
172	J.B. Greenwood Shire Clerk	Croydon Shire Council PO Box 446 CROYDON QLD 4871	16/05/90
173	J.B. Greenwood Shire Clerk	Croydon Shire Council PO Box 446 CROYDON QLD 4871	16/05/90
174	D.R. Puttock	Carpentaria Shire Council PO Box 31 NORMANTON QLD 4890	16/05/90
175	A. Kinbacher Acting Shire Chairman	Woocoo Shire Council PO Box 1 BROOWEENA QLD 4620	17/05/90
176	A.J. Gunn Town Clerk	Thuringowa City Council PO Box 86 THURINGOWA CENTRAL QLD 4817	16/05/90
177	John McCaw Alderman for Division 3	Caloundra City Council 4 Maleny Vista MALENY QLD 4552	17/05/90
178	N.P. Cass Shire Clerk	Jondaryan Shire Council PO Box 105 OAKEY QLD 4401	18/05/90
179	Rex Smith Chairman	Bendemere Shire Council PO Box 14 YULEBA QLD 4427	18/05/90
180	M. Storkey Secretary	The Whitsunday Chamber of Commerce Inc PO Box 443 AIRLIE BEACH WHITSUNDAY QLD 4802	18/05/90
181	S.B. Collins	Daintree Station WINTON QLD 4735	18/05/90
182	M.H. Kidd Town Clerk	Rockhampton City Council PO Box 243 ROCKHAMPTON QLD 4700	18/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
183	Ray C. Currie Shire Clerk	Kilkivan Shire Council PO Box 9 KILKIVAN QLD 4600	18/05/90
184	Greg Wallace Shire Clerk	Perry Shire Council PO Box 12 MOUNT PERRY QLD 4671	18/05/90
185	Marjorie Lane	34 Canning Street NORTH IPSWICH QLD 4305	16/05/90
186	G.R. Kellar Town Clerk	Logan City Council PO Box 226 WOODRIDGE QLD 4114	18/05/90
187	Kenneth Graham	22 Wotton Street AITKENVALE QLD 4814	18/05/90
188	L. Ellwood Shire Clerk	Allora Shire Council PO Box 19 ALLORA QLD 4362	18/05/90
189	W.T. McLaughlin Shire Clerk	Nebo Shire Council PO Box 21 NEBO QLD 4742	18/05/90
190	W.J. Hubner Shire Clerk	Murgon Shire Council PO Box 115 MURGON QLD 4605	18/05/90
191	G.T. Hoffman Secretary	The Local Government Association of Qld (Inc.) PO Box 130 NEWSTEAD QLD 4006	18/05/90
192	D.F. Mullins Shire Clerk	Tambo Shire Council PO Box 136 TAMBO QLD 4478	18/05/90
193	D.W. Howe, R.S. Harris H.E. Cochrane & M.W. Scope	19 Ocean Parade YEPPON QLD 4703	18/05/90
194	E.J. Thorne Shire Clerk	Miriam Vale Shire Council 36 Roe Street MIRIAM VALE QLD 4677	18/05/90
195	Vince Englart	11 Cook Street RED HILL QLD 4059	18/05/90

<b>Submission No.</b>	<b>Author</b>	<b>Organisation &amp; Address</b>	<b>Date Received</b>
196	T.P. Crompton Shire Clerk	Pioneer Shire Council PO Box 68 MACKAY QLD 4740	18/05/90
197	N. Mills Shire Clerk	Mulgrave Shire Council PO Box 1098 CAIRNS QLD 4870	18/05/90
198	Gail D. Bell for Secretary	The Amity Point Progress Association C/-Post Office AMITY POINT QLD 4183	18/05/90
199	R.L. Coffison Shire Clerk	Eacham Shire Council PO Box 3 MALANDA QLD 4885	18/05/90
200	James Taylor Co-ordinator	Kalkadoon and North West Queensland Land Council PO Box 2276 MOUNT ISA QLD 4825	18/05/90
201	B.J. Evans Shire Clerk	Mirani Shire Council PO Box 1 MIRANI QLD 4754	18/05/90
202	Aboriginal Co-ordinating Council	PO Box 6512 CAIRNS MAIL CENTRE QLD 4870	18/05/90
203	B.R. McClymont	81 Brickworks Road KALLANGUR QLD 4503	18/05/90
204	W.K. Hamill	Curriba YELARBON QLD 4388	18/05/90
205	Ken Matson F.I.M.M. Shire Clerk	Torres Shire Council PO Box 171 THURSDAY ISLAND QLD 4875	18/05/90
206	Tony Wehlow Shire Clerk	Chinchilla Shire Council PO Box 42 CHINCHILLA QLD 4413	18/05/90
207	D.P. Carroll Shire Clerk	Taroom Shire Council PO Box 21 TAROOM QLD 4420	18/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
208	Robert Mackie Shire Clerk	Redland Shire Council PO Box 21 CLEVELAND QLD 4163	18/05/90
209	C.N. Weber Acting Shire Clerk	Mundubbera Shire Council PO Box 6 MUNDUBBERA QLD 4626	18/05/90
210	R.J. Gessling Shire Clerk	Gooburrum Shire Council PO Box 789 BUNDABERG QLD 4670	18/05/90
211	N.R. Mares Shire Clerk	Broadsound Shire Council PO Box 1 ST LAWRENCE QLD 4707	18/05/90
212	R. Dempsey General Secretary	Trades & Labor Council of Queensland Level 5 T & LC Building 16 Peel Street SOUTH BRISBANE QLD 4101	18/05/90
213	D.A. Smith & M.C. Bathersby Division 1 Councillors	PO Box 271 STANTHORPE QLD 4380	18/05/90
214	O.J. Broome	8 Whiting Street WOODGATE QLD 4660	18/05/90
215	Noel Cassey	167 Esplanade POINT VERNON QLD 4655	18/05/90
216	Bruce White	Tharpuntoo Legal Service Aboriginal Corporation PO Box 6175 CAIRNS QLD 4870	18/05/90
217	Lyn Overton Secretary	Mission Beach District Chamber of Commerce Post Office MISSION BEACH QLD 4854	18/05/90
218	J.P. Dunne Shire Clerk	Whitsunday Shire Council PO Box 104 PROSERPINE QLD 4800	18/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
219	John Wehlow Town Clerk	Charters Towers City Council PO Box 189 CHARTERS TOWERS QLD 4820	18/05/90
220	Harrison H. Duncan	PO Box 735 CHARTERS TOWERS QLD 4820	18/05/90
221	Carole Ann Green	28 Hydes Road WHITESIDE QLD 4503	18/05/90
222	A.V. Timms	Greer & Timms PO Box 57 PORT DOUGLAS QLD 4871	18/05/90
223	Leslie F. McCourt	PO Box 102 BOONAH QLD 4310	18/05/90
224	G.J. Coulton Shire Clerk	Aramac Shire Council PO Box 65 ARAMAC QLD 4726	18/05/90
225	Vincent T. Corbin Shire Clerk & Bartley Q. Deane Acting Chairman	Longreach Shire Council PO Box 472 LONGREACH QLD 4730	18/05/90
226	Ken R. Stothard	28 Besline Street KURABY QLD 4112	18/05/90
227	R.G. Bristow	29 Wilson Street CABOOLTURE QLD 4510	18/05/90
228	P.W. Dawson Shire Clerk	Quilpie Shire Council PO Box 57 QUILPIE QLD 4480	18/05/90
229	Graham McInnes & M.J. Reddan Division 2 & 3 Representatives	Wondai Shire Council C/-MS 612 KINGAROY QLD 4610	18/05/90
230	L. Nightingale	194 Dowding Street OXLEY QLD 4075	18/05/90
231	S.A. Redman	MS 612 KINGAROY QLD 4610	18/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
232	Leigh Abbott	Macleay Island Conservation Group Lot 27 Duncan Street MACLEAY ISLAND QLD 4184	18/05/90
233	E.J. Eckel Shire Clerk	Kilcoy Shire Council Council Chambers 15 Kennedy Street KILCOY QLD 4515	18/05/90
234	Joan Trewern Representative	Womens Electoral Lobby 18 Valmadre Street LAKE PLACID QLD 4878	18/05/90
235	W.W. Lennon President	Building Owners and Managers Association of Australia Limited GPO Box 113 BRISBANE QLD 4001	18/05/90
236	E. Stafford	PO Box 225 KURANDA QLD 4872	18/05/90
237	Ian Olsson	B.R.I.D.G.E. 23 Nepeta Street RUNCORN QLD 4113	18/05/90
238	P.W. Bethold Town Clerk	Brisbane City Council GPO Box 1434 BRISBANE QLD 4001	18/05/90
239	Terence P. Burke	PO Box 226 REDCLIFFE QLD 4020	18/05/90
240	W. Swan	Australian Labor Party PO Box 32 WEST END QLD 4101	18/05/90
241	G.W. Smith Manager	Invicta Mill Suppliers' Committee PO Box 957 AYR QLD 4807	18/05/90
242	G.P. Williams Shire Clerk	Monto Shire Council PO Box 216 MONTO QLD 4630	18/05/90
243	Heimen Julius	101 Fernberg Road ROSALIE QLD 4064	18/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
244	David Bannerman	Gibbons Road SAMFORD QLD 4520	18/05/90
245	John Wakely (J.P.)	22 MacDonald Street LOTA QLD 4179	18/05/90
246	R.J. George	Bayside Action Group PO Box 335 WYNNUM QLD 4178	18/05/90
247	E. A. Cunningham	Riverview Drive CALLIOPE QLD 4680	18/05/90
248	B.C. McKee Shire Clerk	Bungil Shire Council 20 Quintin Street ROMA QLD 4455	18/05/90
249	L.J. Schumacher Shire Clerk	Gatton Shire Council PO Box 82 GATTON QLD 4343	18/05/90
250	Tom Round Secretary	Proportional Representation Society of Australia (Qld Branch) PO Box 273 BULIMBA QLD 4171	18/05/90
251	B.G. Wilson A/Director-General	Department of Lands PO Box 168 NORTH QUAY QLD 4002	18/05/90
252	R.J. Slatter Shire Clerk	Gayndah Shire Council PO Box 49 GAYNDAH QLD 4625	18/05/90
253	S.R. Ping Chairman	Gayndah Shire Council PO Box 49 GAYNDAH QLD 4625	18/05/90
254	Boyd Baker	Gayndah Shire Council PO Box 196 GAYNDAH QLD 4625	18/05/90
255	Gregory C. Copley	Lot 31 Arthur Road JIMBOOMBA QLD 4280	18/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
256	Graham Campbell-Ryder Managing Director	Brisbane City Heart Business Association Limited GPO Box 1779 BRISBANE QLD 4001	18/05/90
257	Jim Grevell Chairman	Whitsunday Coast Dev't Association Inc. PO Box 127 AIRLIE BEACH, WHITSUNDAY QLD 4802	18/05/90
258	Andrew Palmer Secretary	Civic Independent Group Inc. PO Box 650 ROCKHAMPTON QLD 4700	18/05/90
259	A. Walters State President	Australian Democrats PO Box 715 SOUTH BRISBANE QLD 4101	18/05/90
260	Ken Crooke State Director	National Party of Australia - Queensland PO Box 403 SPRING HILL QLD 4004	18/05/90
261	R.P. Ferguson Shire Clerk	Kolan Shire Council PO Box 21 GIN GIN QLD 4671	18/05/90
262	K.A. Christensen	Crow's Nest Shire Council MS 26 CROW'S NEST QLD 4355	18/05/90
263	Paul Sutton  and  James Henry Sutton	3 Bream Street TAYLORS BEACH QLD 4850   68 Carter Road NAMBOUR QLD 4560	18/05/90
264	D. Van Bael Shire Clerk	Boulia Shire Council C/-Post Office BOULIA QLD 4829	18/05/90
265	Glenda Mather Councillor	Livingstone Shire Council PO Box 5186 ROCKHAMPTON MAIL CENTRE QUEENSLAND 4702	18/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
266	The Residents Redland Bay Islands Division 6	C/-J. Eyre 9 Pindarri Street LAMB ISLAND QLD 4184	18/05/90
267	B.P. Czislowski Town Clerk	Gladstone City Council PO Box 29 GLADSTONE QLD 4680	18/05/90
268	Terry Coman Divisional Secretary	The Institute of Municipal Management PO Box 335 NORTH QUAY QLD 4002	21/05/90
269	Veronica M. Murray	4 Leis Parade LAWNTON QLD 4501	21/05/90
270	V.N. Donovan Shire Clerk	Fitzroy Shire Council PO Box 396 ROCKHAMPTON QLD 4700	21/05/90
271	A.A. Musumeci President	Home Hill Chamber of Commerce PO Box 537 HOME HILL QLD 4806	21/05/90
272	Ross Phipps Shire Clerk	Rosalie Shire Council PO Box 50 GOOMBUNGEE QLD 4354	21/05/90
273	A.W. O'Brien Acting Town Clerk	Mount Isa City Council PO Box 815 MOUNT ISA QLD 4825	21/05/90
274	Irene Chapman	Betts Road SAMFORD QLD 4520	21/05/90
275	F.J. Bennallack Vice President	Australian Recovery Movement PO Box 383 LUTWYCHE QLD 4030	21/05/90
276	Paul Kneubuhler	30 Ryan Street INNISFAIL QLD 4860	21/05/90
277	Peter Burow Shire Clerk	Dalrymple Shire Council PO Box 233 CHARTERS TOWERS QLD 4820	21/05/90
278	Cr L. Powell	16 Carbeen Street TIERI QLD 4709	21/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
279	_____	"Sarre" RICHMOND QLD 4822	21/05/90
280	C.C. McDowall Shire Clerk	Mareeba Shire Council PO Box 154 MAREEBA QLD 4880	21/05/90
281	R.J. Nilon	116 Crane Street LONGREACH QLD 4730	21/05/90
282	Lance Norman	Barcaldine Shire Council PO Box 191 BARCOLDINE QLD 4725	21/05/90
283	D R Puttock Shire Clerk	Carpentaria Shire Council PO Box 31 NORMANTON QLD 4890	21/05/90
284	K.R. Rosenberg Shire Clerk	Atherton Shire Council PO Box 573 ATHERTON QLD 4883	21/05/90
285	Noel Pearson	18 Waterview Street BALMAIN NSW 2041	21/05/90
286	Theresa Vera McLennan	17 Davy Avenue PROSERPINE QLD 4800	21/05/90
287	T.J. Pailthorpe Shire Clerk	Winton Shire Clerk PO Box 288 WINTON QLD 4735	22/05/90
288	P.F. De Daunton Shire Clerk	Millmerran Shire Council PO Box 42 MILLMERRAN QLD 4357	22/05/90
289	R. Brittain Shire Clerk	Ilfracombe Shire Council PO Box 1 ILFRACOMBE QLD 4727	22/05/90
290	Brian W. Cass Shire Clerk	Eidsvold Shire Council PO Box 51 EIDSVOLD QLD 4627	19/05/90
291	J.T. Quinn Town Clerk	Ipswich City Council PO Box 191 IPSWICH QLD 4305	20/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
292	K.D. Ryan President	Cairns Civic Association PO Box 6884 CAIRNS QLD 4870	23/05/90
293	Bruce Alexander	3/17 Woodford Street HOLLAND PARK WEST QUEENSLAND 4121	23/05/90
294	Bart Marney	50A Alford Street TOOWOOMBA QLD 4350	24/05/90
295	F.R. Geritz	MS 1000 Landsborough Road MALENY QLD 4552	23/05/90
296	Anne Krauce	18 Palmer Street NORTH MACKAY QLD 4740	23/05/90
297	E.L. McEachan Shire Clerk	Johnstone Shire Council PO Box 887 INNISFAIL QLD 4860	24/05/90
298	Paul Fisk	PO Box 108 KURANDA QLD 4872	23/05/90
299	Noel Turner	Citizens for Democracy PO Box 998 TOOWONG QLD 4066	23/05/90
300	D.W. Clarke Acting Shire Clerk	Herberton Shire Council PO Box 41 HERBERTON QLD 4872	23/05/90
301	Gwen Brooks Secretary	South Mission/Wongaling Beaches Progress Association C/-13 Holland Street WONGALING BEACH QLD 4854	23/05/90
302	Ross M. & M. Allan	42 Rose Street BLACKALL QLD 4472	24/05/90
303	Allan Sambono Director	Aboriginal & Torres Strait Islander Studies Unit The University of Queensland ST LUCIA QLD 4067	24/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
304	Terry Brennan Shire Clerk	Inglewood Shire Council PO Box 21 INGLEWOOD QLD 4387	24/05/90
305	A.S. Harvey Shire Clerk	Hinchinbrook Shire Council PO Box 366 INGHAM QLD 4850	23/05/90
306	G.A. Kennett Shire Clerk	Blackall Shire Council PO Box 21 BLACKALL QLD 4472	25/05/90
307	P.N. Adamsons Deputy Shire Clerk	Maroochy Shire Council PO Box 76 NAMBOUR QLD 4560	25/05/90
308	J.S. Watson Shire Clerk	Booronga Shire Council PO Box 42 MITCHELL QLD 4465	25/05/90
309	Jack Geran Secretary	North Stradbroke Island Branch of the Australian Labor Party PO Box 14 POINT LOOKOUT QLD 4104	25/05/90
310	M.W. Fletcher	Members of the Department of Government University of Queensland ST LUCIA QLD 4067	28/05/90
311	Noel Turner	Citizens for Democracy PO Box 998 TOOWONG QLD 4066	28/05/90
312	L.G. Greenhill	902 Hamilton Road MCDOWALL QLD 4053	28/05/90
313	Citizens of Caloundra (various submissions)	Forwarded from Premier's Office	28/05/90
314	S. Rose	4/145 Edgevale Road KEW VIC 3101	29/05/90
315	A.W. Lambert Shire Clerk	Belyando Shire Council PO Box 229 CLERMONT QLD 4721	29/05/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
316	Harrison H. Duncan	PO Box 735 CHARTERS TOWERS QLD 4820	30/05/90
317	P.E. Pechey	MS 115 GYMPIE QLD 4570	30/05/90
318	J.R. Jackson	4 Lance Drive FLINDERS VIEW QLD 4305	31/05/90
319	A.H. Palmer	Unit No 1 Companion Lodge Moore Street ALPHA QLD 4717	01/06/90
320	R.M. Richardson	47 Utrecht Street LOGANHOLME QLD 4129	31/05/90
321	C.D. O'Neill	60 Gore Street WARWICK QLD 4370	01/06/90
322	Bill Martin Secretary	Division One Ratepayers & Electors Association of Woocoo Shire Council "Thelsmere" M/S 706 BROOWEENA QLD 4620	01/06/90
323	Getano Lui (Jnr) Chairman	Island Co-ordinating Council PO Box 264 THURSDAY ISLAND QLD 4875	05/06/90
324	D.L. Stower Shire Clerk	Duaringa Shire Council PO Box 2 DUARINGA QLD 4702	05/06/90
325	L. Mullen	PO Box 6528 CAIRNS QLD 4870	06/06/90
326	Jan Thomas	32 The Esplanade Burnett Heads BUNDABERG QLD 4670	06/06/90
327	John Hooper Shire Clerk	Banana Shire Council PO Box 412 BILOELA QLD 4715	06/06/90
328	Greer & Timms Solicitors	PO Box 57 PORT DOUGLAS QLD 4871	06/06/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
329	Ian Olsson	B.R.I.D.G.E. 123 Nepeta Street RUNCORN QLD 4113	06/06/90
330	L. Haines	Box 2112 SOUTHPORT QLD 4215	04/06/90
331	Michael J. Pope	Old Mt Samson Road MOUNT SAMSON QLD 4520	04/06/90
332	Len Baglow President	Bribie Island Environmental Protection Association Inc. PO Box 350 BRIBIE ISLAND QLD 4507	12/06/90
333	Kevin J. Bannah Shire Clerk	Flinders Shire Council PO Box 274 HUGHENDEN QLD 4821	12/06/90
334	Arnold M. Tate	PO Box 66 MAROOCHYDORE QLD 4558	12/06/90
335	Lois & M Steiner	Lot 73 Pacific Drive Pacific Paradise Estate VIA ROSEDALE QLD 4674	14/06/90
336	A. H. Walker	PO Box 8 BEERWAH QLD 4519	08/06/90
337	N.D.T. Butler D.J. Dwyer	110 The Esplanade Golden Beach CALOUNDRA QLD 4551	07/06/90
338	David Kault	18 Stagpole Street WEST END QLD 4810	15/06/90
339	Andrew McCartney Secretary	Livingstone Shire Division 3 Ratepayers Association "PRINCHESTER" Princhester Siding VIA ROCKHAMPTON 4702	16/06/90
340	P W Donnelly State Manager QLD	Aboriginal & Torres Strait Islander Commission GPO Box 2472 BRISBANE QLD 4001	15/06/90
341	J A Schulz	Marie Downs ARAMAC QLD 4728	15/06/90

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342	Doug O'Neill	"LONSDALE" Richmond NORTH QLD 4822	18/06/90
343	M J Pope	PO Box 40 SAMFORD QLD 4520	18/06/90
344	Stradbroke Island Management Organisation	Pt. Lookout NORTH STRADBROKE ISLAND 4183	19/06/90
345	Alan Hobson	PO Box 646 PROSERPINE QLD 4800	15/06/90
346	Phoebe Dupont	"Jade Hill" Centre Road RUSSELL ISLAND QLD 4184	19/05/90
347	S C Beresford Shire Clerk	Paroo Shire Council PO Box 75 CUNNAMULLA QLD 4490	17/06/90
348	R E Dingle	MS 882 GIN GIN QLD 4671	20/06/90
349	Brian Ledwidge Shire Clerk	Cook Shire Council PO Box 3 COOKTOWN QLD 4871	21/06/90
350	G Lui (Jnr) Chairman	Island Co-Ordinating Council PO Box 264 THURSDAY ISLAND QLD 4875	20/06/90
351	R W Irvine Town Clerk	Gympie City Council PO Box 195 GYMPIE QLD 4570	21/06/90
352	David E Hamilton Manager	92 Victoria Street PO Box 487 MACKAY QLD 4740	22/06/90
353	R G Finch	PO Box 264 HERBERTON 4872	22/06/90
354	Peter Burow Shire Clerk	Dalrymple Shire Council Mosman Street CHARTERS TOWERS QLD 4820	23/06/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
355	C J Morrison Shire Clerk	Murweh Shire Council PO Box 63 CHARLEVILLE QLD 4470	22/06/90
356	G C Sowman Shire Clerk	Aurukum Shire Council AURUKUN QLD 4871	22/06/90
357	Trish Ferrier	Urban Coalition 681 Gold Creek Road BROOKFIELD QLD 4069	22/06/90
358	S Doyle	"Forest Hill" BLACKALL QLD 4472	22/06/90
359	Gail Bell	Amity Point Progress Assoc. C/- Post Office AMITY POINT QLD 4183	25/06/90
360	Fred Rich	Blackall Shire Council PO Box 21 BLACKALL QLD 4472	
361	C G Morrison Shire Clerk	Murweh Shire Council PO Box 63 MURWEH QLD 4470	25/06/90
362	Mrs Gwen Warren	22 Danina Street MANSFIELD QLD 4122	25/06/90
363	Lee Nightingale	194 Dowding Street OXLEY QLD 4075	25/06/90
364	B Stockwell Councillor	Noosa Shire Council PO Box 141 TEWANTIN QLD 4565	26/06/90
365	D J McIver Chairman	Mundubbera Shire Council PO Box 6 MUNDUBBERA QLD 4626	26/06/90
366	Tom Round Secretary	Proportional Representation Society (QLD) PO Box 273 BULIMBA QLD 4171	26/06/90
367	Tracey Arklay Chris Griffith Noel Turner	Citizens for Democracy PO Box 998 TOOWONG QLD 4066	26/06/90

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368	Noel Turner	PO Box 525 WEST END QLD 4101	26/06/90
369	H Slorach	43 Pitt Road BURPENGARY QLD 4505	26/06/90
370	N P Briggs Town Clerk	Cairns City Council PO Box 59 CAIRNS QLD 4870	22/06/90
371	A T Menham Shire Clerk	Biggenden Shire Council PO Box 2 BIGGENDEN QLD 4621	20/06/90
372	Jim Grevell	Whitsunday Coast Development Association PO Box 127 AIRLIE BEACH QLD 4802	14/06/90
373	Trevor Rodda	'Carina Downs' Springsure QLD 4722	26/06/90
374	G J Bevis Shire Clerk	Flinders Shire Council PO Box 274 HUGHENDEN NORTH QLD 4821	28/06/90
375	C E Rolfe Chairman	Belyando Shire Council Office of the Chairman Goonyella Road MORANBAH QLD 4744	28/06/90
376	J Haenke	Friends of Stradbroke C/- Post Office POINT LOOKOUT QLD 4183	03/07/90
377	A J Gunn Shire Clerk	Thuringowa City Council PO Box 86 THURINGOWA CENTRAL QLD 4817	03/07/90
378	D S Kinnear	Elaroo VIA BLOOMSBURY QLD 4799	03/07/90
379	R A Wood Shire Clerk	Sarina Shire Council PO Box 219 SARINA QLD 4737	05/07/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
380	Mr G Lui Chairman	Island Co-ordinating Council PO Box 264 THURSDAY ISLAND QLD 4875	06/07/90
381	M J Katahawas	—	06/07/90
382	M J Cope	Queensland Council of Civil Liberties PO Box 2281 BRISBANE QLD 4001	06/07/90
383	I D Adcock Acting Shire Clerk	Gardwell Shire Council PO Box 401 TULLY NORTH QLD 4854	06/07/90
384	T Round	Proportional Representation Society of Australia PO Box 273 BULIMBA QLD 4171	05/07/90
385	L R Biddle Secretary	The Australian Pensioners & Superannuants League C/- PO Box 530 MALANDA QLD 4885	10/07/90
386	J Bloxsom Secretary	Australian Labour Party Dalby Branch 13 Swan Street DALBY QLD 4408	09/07/90
387	G R Hurst Vice President	Community Advancement Association Repulse Bay & Surrounds Inc. 1 Burton Street Midge Point VIA BLOOMSBURY QLD 4799	11/07/90
388	W Watt Shire Clerk	McKinlay Shire Council PO Box 177 JULIA CREEK QLD 4823	17/07/90
389	N D Barwick	4 Westridge Street BROOKFIELD QLD 4069	17/07/90
390	Terence Burke	PO Box 226 REDCLIFFE QLD 4020	13/07/90

<u>Submission No.</u>	<u>Author</u>	<u>Organisation &amp; Address</u>	<u>Date Received</u>
391	Eric Deeral	Forwarded by Hopevale Community Council HOPEVALE QLD	20/07/90
392	M Bryan	79 McManus Street CAIRNS QLD 4870	20/07/90
393	Cr J Waugh	Waggamba Shire Council PO Box 212 GOONDIWINDI QLD 4390	20/07/90
394	B Marney	50A Alford Street TOOWOOMBA QLD 4350	20/07/90
395	Brian Dobinson	Redcliffe Municipal Executive Committee 28 Rogers Street CLONTARF QLD 4019	23/07/90
396	L Rasmussen	10 Spalla Dve PROSERPINE QLD 4800	23/07/90
397	Ald. Bell	Gold Coast City Council PO Box 5042 Gold Coast Mail Centre SURFERS PARADISE QLD 4217	25/07/90
398	L McNicholl	"Arklow" DULACCA QLD 4425	25/07/90
399	R Millis Shire Clerk	Jericho Shire Council PO Box 11 ALPHA QLD 4724	26/07/90
400	C White Administrator	Torres Shire Council PO Box 5146 Mail Centre CAIRNS QLD 4870	27/07/90
401	Ron B Day Chairman	Murray Island Community Council Murray Island VIA THURSDAY ISLAND 4875	02/08/90
402	Simon Lord	"Mt Stanley" LINVILLE QLD 4306	02/08/90

<b>Submission No.</b>	<b>Author</b>	<b>Organisation &amp; Address</b>	<b>Date Received</b>
403	Stan Muldoon Shire Clerk	Caboolture Shire Council PO Box 159 CABOOLTURE QLD 4510	01/08/90
404	K McPherson Councillor	Esk Shire Council Stanley Street MOORE QLD 4306	06/08/90
405	J A Martin	Momba Station CROYDON QLD 4871	17/08/90
406	Bob Lye	30/205 Buckland Street CHIPPENDALE NSW 2008	03/09/90
407	G. Kennaugh Shire Clerk	Rosenthal Shire Council Mail Service 1003 WARWICK QLD 4370	13/08/90
408	D M Stevenson General Manager	South Johnstone Mill Ltd PO Box 16 SOUTH JOHNSTONE QLD 4859	10/08/90
409	Hon. W Gunn Member for Somerset	Electorate Office Patrick Street LAIDLEY QLD 4305	10/08/90

As at 7 September 1990

LOCAL AUTHORITY ELECTORAL REVIEWWITNESSES PROVIDING EVIDENCE AT PUBLIC HEARINGS

Location and Date	Name of Group/Person/ Organisation	Transcript No.	Page No.
Gympie 25/06/90	Gympie City Council . Ald. Joan Dodt (Mayor) . Mr Ron Irvine (Town Clerk)	1	4 - 13
	Widgee Shire Council . Cr Adrian McClintock (Chairman) . Mr Ken Rafter (Shire Clerk)	2	14 - 28
	Kingaroy Shire Council . Cr Warren Truss (Chairman) . Cr Robert Downes (Deputy Chairman) . Mr Ron Knopke (Shire Clerk)	3	29 - 40
	Woocoo Shire Council . Cr David Braddock (Chairman) . Mr Joseph Hill (Shire Clerk) . Mr Lawrence Purser (ex Shire Clerk)	4	41 - 48
Rockhampton 27/06/90	Rockhampton City Council . Ald. Jim Weber (Mayor) . Ald. Col Brown (Deputy Mayor) . Mr Merv Kidd (Town Clerk) . Ald. Robert Schwarten	5	49 - 61
	Civic Independent Group . Ald. Laurence Georgeson . Mr Andrew Palmer (Secretary) . Ald. Jim Rundle	6	62 - 71
	Miriam Vale Shire Council . Cr Grahame Colyer (Chairman) . Mr Eric Thorne (Shire Clerk)	7	72 - 82
	Calliope Shire Council . Cr Ian Bainbridge (Chairman) . Mr Robert Smith (Shire Clerk)	8	83 - 90
	Livingstone Shire Council . Cr John Bowen (Chairman) . Mr Jim Brown (Shire Clerk)	9	91 - 99
	Taroom Shire Council . Cr Bill Copeland (Chairman) . Mr Dominick Carrol (Shire Clerk)	10	100 - 109

Location and Date	Name of Group/Person/ Organisation	Transcript No.	Page No.
Mackay 28/06/90	Mackay City Council	11	111 - 122
	. Ald. Peter Jardine (Mayor)		
	. Mr Stanley Fursman (Town Clerk)		
	Broadsound Shire Council	12	123 - 129
	. Cr Mike McArthur (Chairman)		
	. Mr Noel Mapes (Shire Clerk)		
	Nebo Shire Council	13	130 - 139
	. Cr John Stuart (Chairman)		
	. Mr Geoffrey Nolan (Consulting Engineer)		
	. Mr Wilson McLaughlin (Shire Clerk)		
	. Cr Rodney Kunst		
	Belyando Shire Council	14	140 - 153
	. Cr Margaret Henn (Div. 2)		
	. Mr Alan Lambert (Shire Clerk)		
	Pioneer Shire Council	15	154 - 162
	. Cr Gordon White (Chairman)		
	. Cr James Adams (Deputy Chairman)		
	. Cr Cecil Etwell (Div. 2)		
	. Mr Robert Bain (Deputy Shire Clerk)		
Mirani Shire Council	16	163 - 173	
. Cr Clive Rogers (Chairman)			
. Mr Barry Evans (Shire Clerk)			
. Cr Lionel Lucas (Div. 3)			
. Mr Geoffrey Nolan (Consulting Engineer)			
Whitsunday Shire Council	17	174 - 181	
. Cr Glen Patullo (Chairman)			
. Cr Dick Dray (Deputy Chairman)			
. Mr Graham King (Deputy Shire Clerk)			
Whitsunday Chamber of Commerce	18	182 - 190	
. Mr Ian Johnston (President)			
Whitsunday Coast Development Assoc.	19	191 - 200	
. Mr Jim Grevell (Chairman)			
. Mr Jim Wort			
. Mr Chris Morris			
Whitsunday Coast Council	20	201 - 206	
. Mr John McCulloch			
. Mr Jeff Kirchhoff			

Location and Date	Name of Group/Person/ Organisation	Transcript No.	Page No.
Mt Isa 3/06/90 07	Boulia Shire Council . Cr Earl Ogilvie (Chairman) . Mr Shaun McGlinchy (Shire Clerk)	21	208 - 216
	Carpentaria Shire Council . Mr Donald Puttock (Shire Clerk)	22	217 - 223
	Cloncurry Shire Council . Cr Noel Robertson (Chairman) . Mr Rick Adamson (Shire Clerk)	23	224 - 231
	McKinlay Shire Council . Cr Darren Ginns (Chairman) . Mr William Watt (Shire Clerk)	24	232 - 236
	Mount Isa City Council . Ald. Ron McCullough (Mayor) . Mr Kevin Ashworth (Town Clerk)	25	237 - 249
	Mr Kevin Moran	26	250 - 257
Townsville 11/07/90	Charters Towers City Council . Ald Dorothy Birgan (Mayor) . Mr John Wehlow (Town Clerk)	27	259 - 270
	Bowen Shire Council . Cr Peter Wyche (Chairman) . Mr Leslie Carett (Shire Clerk)	28	271 - 278
	Hinchinbrook Shire Council . Cr Rea Brown (Chairman) . Mr Alan Barvey (Shire Clerk)	29	278 A - 284
	Home Hill Chamber of Commerce . Mr Alf Musumeci (President) . Mr Dave Dawson (Vice President)	30	285 - 290
	Thuringowa City Council . Ald. Dan Gleeson O.B.E. (Mayor) . Ald Les Tyrell (Deputy Mayor) . Mr Tony Gunn (Town Clerk) . Ald. Eineo Gazziola	31	291 - 305
	Burdekin Shire Council . Cr John Trace (Chairman) . Mr Graham Webb (Shire Clerk)	32	306 - 322

Location and Date	Name of Group/Person/ Organisation	Transcript No.	Page No.
	Townsville City Council . Ald. Tony Mooney (Mayor) . Mr Kev Whebell (Town Clerk) . Mr John McDonald (City Solicitor)	33	323 - 334
	Dr David Kault	34	335 - 338
	Dalrymple Shire Council . Mr Peter Black (Chairman) . Mr Peter Burow (Shire Clerk)	35	339 - 352
Cairns 13/07/90	Women's Electoral Lobby, Cairns . Ms Joan Trewern (Representative)	36	353 - 355
	Cairns City Council . Ald. Desley Boyle (Acting Mayor) . Mr Noel Briggs (Deputy Town Clerk)	37	356 - 368
	Johnstone Shire Council . Cr Ross Overton (Chairman) . Cr Allan Missingham (Deputy Chairman) . Mr Eddy McEachan (Shire Clerk)	38	369 - 376
	Atherton Shire Council . Cr Jim Chapman (Chairman) . Mr Kerry Rosenberg (Shire Clerk)	39	376 A - 381
	Eacham Shire Council . Cr Philip English (Chairman) . Cr William Sneath (Deputy Chairman) . Mr Ronald Coffison (Shire Clerk)	40	382 - 389
	Cairns Civic Association . Mr Kel Ryan (President) . Mr Phillip English . Mr Wayne Rees	41	390 - 399
	Etheridge Shire Council . Cr John Smith (Chairman) . Mr Frederick Skerritt (Shire Clerk)	42	400 - 410
	Torres Shire Council . Mr Christopher White (Administrator) . Mr Kenneth Matson (Shire Clerk)	43	411 - 419

Location and Date	Name of Group/Person/ Organisation	Transcript No.	Page No.
	Mulgrave Shire Council . Cr Tom Pyne (Chairman) . Cr G Knell (Div. 4) . Mr Bill Mills (Shire Clerk)	44	420 - 434
	Aurukun Shire Council . Mr Glen Sowman (Shire Clerk)	45	435 - 441
Longreach 16/06/90 7	Longreach Shire Council . Cr Sir James Walker (Chairman) . Cr Bart Deane (Deputy Chairman) . Cr Bruce Emmott (Div. 2) . Cr Gordon Saunders (Div. 3) . Mr Vince Corbin (Shire Clerk)	46	443 - 456
	Murweh Shire Council . Cr Graham Andrews (Chairman) . Mr Pat Morrison (Shire Clerk)	47	457 - 463
	Blackall Shire Council . Cr Fred Rich (Chairman) . Cr David Heath (Div. 3) . Mr John Smith (Acting Shire Clerk)	48	464 - 475
	Winton Shire Council . Cr Eric Lenton (Chairman) . Cr Bruce Collins (Deputy Chairman) . Cr Morris Ashman (Div. 2) . Mr Terry Pailthorpe (Shire Clerk)	49	476 - 484
	Isisford Shire Council . Cr John Parkinson (Chairman) . Mr Wayne Saxvik (Shire Clerk)	50	485 - 492
Toowoomba 17/07/90	Toowoomba City Council . Ald. Ross Miller (Deputy Mayor) . Mr Ian Farr (Town Clerk)	51	493 - 504
	Lowood & Area Progress Association . Mr W Fox (Representative)	52	505 - 508
	Jondaryn Shire Council . Mr Noel Cass (Shire Clerk)	53	509 - 516
	Roma Town Council . Ald. Bob Coomber (Mayor) . Mr Peter McKenzie (Town Clerk)	54	517 - 526

Location and Date	Name of Group/Person/ Organisation	Transcript No.	Page No.
	Warwick City Council . Ald. Stan Walsh (Mayor) . Mr John Cuddihy (Town Clerk)	55	527 - 538
Toowoomba 18/06/90 7	Crows Nest Shire Council . Cr Ivan Vonhoff (Chairman) . Mr Ian O'Donnell (Shire Clerk)	56	539 - 549
	Esk Shire Council . Cr Neil Zabel (Chairman) . Cr Simeon Lord (Deputy Chairman) . Mr Gordon Sorensen (Shire Clerk)	57	550 - 560
	Mr Bart Marney	58	560 - 570
	Paroo Shire Council . Cr David Land (Chairman) . Cr John Webb . Mrs Suzette Beresford (Shire Clerk)	59	571 - 586
	Rosenthal Shire Council . Cr James Mitchell (Chairman) . Cr Des Cooper (Deputy Chairman) . Mr Graham Kennaugh (Shire Clerk)	60	587 - 593
Brisbane 19/07/90	Brisbane City Council . Ald. Sallyanne Atkinson (Lord Mayor) . Ald. Bob Ward (Chairman of Transport Committee) . Mr Neil MacPherson (Deputy Town Clerk) . Mr Paul O'Brien (City Solicitor, Acting as Town Clerk)	61	594 - 609
	Redcliffe City Council . Ald. Alf Charlish (Mayor) . Ald. Mike Kearney . Mr Ivan Fien (Town Clerk)	62	610 - 616
	Moreton Shire Council . Cr John Nugent (Chairman) . Mr Norm Craswell (Shire Clerk)	63	617 - 625
	Gold Coast City Council . Ald. Keith Thompson (Deputy Mayor)	64	626 - 632

Location and Date	Name of Group/Person/ Organisation	Transcript No.	Page No.
	Brisbane City Heart Business Assoc. . Mr Michael Hawkins	65	633 - 643
	Trades & Labour Council . Dr Howard Guille (Special Projects Officer) . Mr Ray Selby (State Secretary, Municipal Officers' Association)	66	644 - 654
	Redland Shire Council . Cr Merv Genrich (Chairman) . Cr Jenny Cooke-Bramley (Div. 4 - Islands) . Cr George Dunstan (Deputy Chairman & Div. 9 - Mainland) . Mr Robert Mackie (Shire Clerk)	67	655 - 664
	ALP, North Stradbroke Branch . Dr Howard Guille (President) . Mr Jack Geran (Secretary) . Mr John Fiedler (Vice President)	68	665 - 670
	Logan City Council . Ald. Ray Hodgson (Mayor) . Mr Gary Kellar (Town Clerk)	69	671 - 680
	Ipswich City Council . Ald. Paul Tully (Chairman of the Finance Committee) . Mr Jamie Quinn (Town Clerk)	70	681 - 689
Brisbane 20/07/90	Australian Labour Party . Mr Wayne Swan	71	690 - 702
	National Party . Mr Bunny Powne (Chairman of Policy Committee) . Mr Bruce Collins (Deputy Chairman of Winton Shire Council)	72	703 - 716
	Australian Democrats . Mr Tony Walters (State President) . Mr Andrew Bartlett (Assistant Secretary, Qld Division of the Australian Democrats)	73	717 - 728

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Location and Date	Name of Group/Person/ Organisation	Transcript No.	Page No.
	Citizens for Democracy . Mr Noel Turner . Mrs Bev Floyd . Mr Chris Griffith . Mr Roy Claringbould	74	729 - 739
	Cr Brian Stockwell	75	740 - 746
	University of Queensland . Dr Paul Reynolds (Senior Lecturer in Government)	76	747 - 754
	Institute of Municipal Management . Mr Gary Kellar (Divisional Cr)	77	755 - 763
	Local Government Association . Mr Jim Pennell (President) . Mr Greg Hoffman (Secretary) . Mr Alan Morton (Consultant)	78	764 - 782

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LOCAL AUTHORITY ELECTORAL REVIEWLIST OF EXHIBITS

<u>EXHIBIT NUMBER</u>	<u>DATE RECEIVED</u>	<u>NAME OF WITNESS</u>	<u>EXHIBITS (DOCUMENTS FURNISHED)</u>
L.1	25.6.90 (Gympie)	Widgee Shire Council (Sub No 128)	Letter from Widgee Shire to EARC dated 21 June 1990 concerning answers to questions provided by EARC
L.2	25.6.90 (Gympie)	Widgee Shire Council (Sub No 128)	Rating schedule and information brochure for 1989/90 from Widgee Shire Council
L.3	25.6.90 (Gympie)	Kingaroy Shire Council (Sub No 113)	Kingaroy Shire Council's answers to EARC's standard questions to all shires dated 21 June 1990
L.4	25.6.90 (Gympie)	Woocoo Shire Council (Sub No 175)	Answers to standard questions provided by Woocoo Shire Council dated 25 June 1990
L.5	27.6.90 (Rockhampton)	Miriam Vale Shire Council (Sub No 194)	Map of Miriam Vale Shire showing internal boundaries
L.6	27.6.90 (Rockhampton)	Miriam Vale Shire Council (Sub No 194)	Miriam Vale Shire Council's answers to standard questions put by EARC
L.7	27.6.90 (Rockhampton)	Calliope Shire Council (Sub No 95)	Calliope Shire Council's answers to standard questions put by EARC
L.8	27.6.90 (Rockhampton)	Calliope Shire Council (Sub No 95)	Calliope Shire Council's answers to specific questions directed to council in writing by EARC
L.9	27.6.90 (Rockhampton)	Livingstone Shire Council (Sub No 165)	Answers to EARC's standard questions by Livingstone Shire Council
L.10	27.6.90 (Rockhampton)	Taroom Shire Council (Sub No 207)	Taroom Shire Council's answers to standard questions furnished by EARC

<b>EXHIBIT NUMBER</b>	<b>DATE RECEIVED</b>	<b>NAME OF WITNESS</b>	<b>EXHIBITS (DOCUMENTS FURNISHED)</b>
L.11	28.6.90 (Mackay)	Broadsound Shire Council (Sub No 211)	Broadsound Shire Council's answers to standard questions provided by EARC dated 27 June 1990
L.12	28.6.90 (Mackay)	Broadsound Shire Council (Sub No 211)	Answers to questions on notice by Broadsound Shire Council
L.13	28.6.90 (Mackay)	Nebo Shire Council (Sub No 189)	Nebo Shire Council's answers to standard questions provided by EARC included in a document titled "Implementation Report Population and Demographic Study" dated June 1990
L.14	28.6.90 (Mackay)	Belyando Shire Council (Sub No 315)	Answers to standard questions furnished by Belyando Shire Council to EARC
L.15	28.6.90 (Mackay)	Pioneer Shire Council (Sub No 196)	Pioneer Shire Council's answers to standard questions
L.16	28.6.90 (Mackay)	Pioneer Shire Council (Sub No 196)	Pioneer Shire Council's answers to specific questions
L.17	28.6.90 (Mackay)	Mirani Shire Council (Sub No 201)	Mirani Shire Council's answers to EARC's standard questions
L.18	28.6.90 (Mackay)	Mirani Shire Council (Sub No 201)	"Implementation Report Population and Demographic Study" from Mirani Shire Council dated June 1990
L.19	28.6.90 (Mackay)	Whitsunday Shire Council (Sub No 218)	Answers to standard questions by Whitsunday Shire Council
L.20	28.6.90 (Mackay)	Whitsunday Chamber of Commerce (Sub No 180)	Response to questions on notice from Whitsunday Chamber of Commerce

<b>EXHIBIT NUMBER</b>	<b>DATE RECEIVED</b>	<b>NAME OF WITNESS</b>	<b>EXHIBITS (DOCUMENTS FURNISHED)</b>
L.21	28.6.90 (Mackay)	Whitsunday Coast Development Assoc (Sub No 257)	Supplementary material provided by the Whitsunday Coast Development Association
L.22	28.6.90 (Mackay)	Whitsunday Coast Council	Letter from Whitsunday Coast Council to EARC dated 26 June 1990
L.23	3.7.90 (Mount Isa)	Boulia Shire Council (Sub No 264)	Answers to standard questions by Boulia Shire Council
L.24	3.7.90 (Mount Isa)	Carpentaria Shire Council (Sub No 174)	Supplementary material and answers to standard questions from Carpentaria Shire Council
L.25	3.7.90 (Mount Isa)	Cloncurry Shire Council (Sub No 171)	Answers to standard questions from Cloncurry Shire Council
L.26	3.7.90 (Mount Isa)	McKinlay Shire Council	Answers to standard questions by McKinlay Shire Council
L.27	11.7.90 (Townsville)	Bowen Shire Council (Sub Nos 35 & 168)	Answers to standard questions by Bowen Shire Council
L.28	11.7.90 (Townsville)	Hinchinbrook Shire Council (Sub No 305)	Answers to standard questions by Hinchinbrook Shire Council
L.29	11.7.90 (Townsville)	Burdekin Shire (Sub No 133)	Further material and information supplied by the Burdekin Shire Council
L.30	11.7.90 (Townsville)	Dalrymple Shire Council (Sub Nos 277 & 354)	Answers to standard questions by Dalrymple Shire Council
L.31	13.7.90 (Cairns)	Johnstone Shire Council (Sub No 297)	Answers to standard questions by Johnstone Shire Council

EXHIBIT NUMBER	DATE RECEIVED	NAME OF WITNESS	EXHIBITS (DOCUMENTS FURNISHED)
L.32	13.7.90 (Cairns)	Atherton Shire Council (Sub No 284)	Answers to standard questions by Atherton Shire Council
L.33	13.7.90 (Cairns)	Eacham Shire Council (Sub No 199)	Answers to standard questions by Eacham Shire Council
L.34	13.7.90 (Cairns)	Etheridge Shire Council (Sub No 91)	Answers to standard questions by Etheridge Shire Council
L.35	13.7.90 (Cairns)	Torres Shire Council (Sub No 205)	Answers to standard questions by Torres Shire Council
L.36	13.7.90 (Cairns)	Mulgrave Shire Council (Sub No 197)	Answers to standard questions by Mulgrave Shire Council
L.37	13.7.90 (Cairns)	Mulgrave Shire Council (Sub No 197)	Answers to supplementary questions by Mulgrave Shire Council
L.38	13.7.90 (Cairns)	Aurukun Shire Council (Sub No 356)	Answers to standard questions by Aurukun Shire Council
L.39	16.7.90 (Longreach)	Longreach Shire Council (Sub No 225)	Answers to standard questions by Longreach Shire Council
L.40	16.7.90 (Longreach)	Murweh Shire Council (Sub No 355)	Answers to standard questions by Murweh Shire Council
L.41	16.7.90 (Longreach)	Blackall Shire Council (Sub No 306)	Answers to standard questions by Blackall Shire Council
L.42	16.7.90 (Longreach)	Winton Shire Council (Sub No 287)	Answers to standard questions by Winton Shire Council
L.43	16.7.90 (Longreach)	Isisford Shire Council (Sub No 164)	Answers to standard questions by Isisford Shire Council

EXHIBIT NUMBER	DATE RECEIVED	NAME OF WITNESS	EXHIBITS (DOCUMENTS FURNISHED)
L.44	17.7.90 (Toowoomba)	Jondaryan Shire Council (Sub No 178)	Answers to standard questions by Jondaryan Shire Council
L.45	17.7.90 (Toowoomba)	Roma Town Council (Sub No 132)	Submission to the Government on Decentralization
L.46	18.7.90 (Toowoomba)	Crow's Nest Shire Council (Sub No 108)	Answers to standard questions Crow's Nest Shire Council
L.47	18.7.90 (Toowoomba)	Esk Shire Council (Sub No 87)	Answers to standard questions by Esk Shire Council
L.48	18.7.90 (Toowoomba)	Mr Bart Marney (Sub No 294)	Additional submission to EARC by Bart Marney on 17 July 1990
L.49	18.7.90 (Toowoomba)	Paroo Shire Council (Sub No 347)	Answers to standard questions by Paroo Shire Council
L.50	18.7.90 (Toowoomba)	Rosenthal Shire Council (Sub No 147)	Answers to standard questions by Rosenthal Shire Council
L.51	19.7.90 (Brisbane)	Redcliffe City Council (Sub No 130)	Answers to questions on notice by Redcliffe City Council
L.52	19.7.90 (Brisbane)	Moreton Shire Council (Sub No 139)	Answers to standard questions by Moreton Shire Council
L.53	19.7.90 (Brisbane)	Redland Shire Council (Sub No 208)	Answers to standard questions by Redland Shire Council
L.54	19.7.90 (Brisbane)	Redland Shire Council (Sub No 208)	Maps of Redland Shire Council Division Six

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<b>EXHIBIT NUMBER</b>	<b>DATE RECEIVED</b>	<b>NAME OF WITNESS</b>	<b>EXHIBITS (DOCUMENTS FURNISHED)</b>
L.55	19.7.90 (Brisbane)	Logan City Council (Sub No 186)	Written answers to questions on notice by Logan City Council
L.56	19.7.90 (Brisbane)	Ipswich City Council (Sub No 291)	Notes from City Council on loss of office
L.57	20.7.90 (Brisbane)	Australian Democrats (Sub No 259)	Supplementary submission with amendments by the Australian Democrats
L.58	20.7.90 (Brisbane)	Cr Brian Stockwell (Sub No 364)	Budget comparison by function
L.59	20.7.90 (Brisbane)	Institute of Municipal Management (Sub No 268)	Supplementary submission from the Institute of Municipal Management
L.60	20.7.90 (Brisbane)	Local Government Association (Sub No 191)	Supplementary submission to EARC by the Local Government Association

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**LOCAL AUTHORITY ELECTORAL REVIEW**

**QUEENSLAND LOCAL GOVERNMENT AREAS, POPULATION, VOTING SYSTEMS AND ENROLMENT INFORMATION**

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsay Index
Albert	129,861	1,274	First Past Post	10	8777	Div 1-1 Div 2-1 Div 3-1 Div 4-1 Div 5-1 Div 6-1 Div 7-1 Div 8-1 Div 9-1	11,135 4,254 2,358 8,191 10,970 11,673 7,553 12,372 10,485	78,991	55.5
Allora	2,198	699	First Past Post	10	161	Div 1-3 Div 2-3 Div 3-3	943 183 323	1,449	34.9
Aramac	1,061	23,232	First Past Post	10	75	Div 1-2 Div 2-1 Div 3-2 Div 4-2 Div 5-2	292 116 110 77 83	678	39.8
Atherton	9,316	620	First Past Post	7	982	Div 1-3 Div 2-2 Div 3-1	3,795 1,769 330	5,894	57.1
Aurukun	1,050	7,500	First Past Post	9	75	No Divs.	N/A	596	N/A

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsay Index
Balonne	5,157	31,119	First Past Post	10	358	Div 1-3 Div 2-3 Div 3-3	2,307 550 361	3,218	28.3
Banana	17,072	15,726	First Past Post	13	794	Div 1-2 Div 2-2 Div 3-3 Div 4-3 Div 5-2	1,272 1,556 1,354 1,749 3,596	9,527	39.2
Barcaldine	1,800	8,430	First Past Post	9	151	Div 1-3 Div 2-3 Div 3-2	1,041 119 44	1,204	13.5
Barcoo	461	61,901	First Past Post	10	35	Div 1-3 Div 2-3 Div 3-3	67 139 105	311	55.3
Bauhinia	2,362	24,558	First Past Post	10	168	Div 1-3 Div 2-3 Div 3-3	813 249 451	1,513	46.3
Beaudesert	32,536	2,858	First Past Post	9	2,505	Div 1-1 Div 2-1 Div 3-1 Div 4-1 Div 5-1 Div 6-1 Div 7-1 Div 8-1	3,215 877 1,193 3,563 2,519 4,222 2,455 1,996	20,040	45.1

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reprs. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dancer-Kelary Index
Belyando	11,927	30,078	First Past Post	13	537	Div 1-2 Div 2-2 Div 3-3 Div 4-2 Div 5-3	222 306 1,730 281 3,907	6,446	21.5
Bendemere	1,124	3,941	First Past Post	8	108	Div 1-3 Div 2-2 Div 3-2	414 240 105	759	63.6
Biggenden	1,623	1,321	First Past Post	10	125	Div 1-3 Div 2-3 Div 3-3	178 217 731	1,126	35.1
Blackall	2,134	16,304	First Past Post	10	152	Div 1-2 Div 2-2 Div 3-2 Div 4-3	105 105 84 1,074	1,368	21.5
Boonah	6,309	1,476	First Past Post	7	724	Div 1-2 Div 2-2 Div 3-2	1,454 1,251 1,641	4,346	62.2
Booringa	2,237	27,793	First Past Post	9	182	Div 1-3 Div 2-1 Div 3-1 Div 4-2 Div 5-1	998 157 149 94 61	1,459	31.6

Local Government Area	Estimated Resident Population (June 1969)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsay Index
Boulia	549	61,176	First Past Post	8	36	Div 1-2 Div 2-3 Div 3-2	127 85 42	254	50.0
Bowen	13,664	21,085	First Past Post	11	867	Div 1-2 Div 2-2 Div 3-2 Div 4-2 Div 5-2	3,258 499 165 1,966 2,783	8,671	30.3
Brisbane	744,557	1,220	Preferential	27	19,906	Div 1-1 Div 2-1 Div 3-1 Div 4-1 Div 5-1 Div 6-1 Div 7-1 Div 8-1 Div 9-1 Div 10-1 Div 11-1 Div 12-1 Div 13-1 Div 14-1 Div 15-1 Div 16-1 Div 17-1 Div 18-1 Div 19-1 Div 20-1 Div 21-1 Div 22-1 Div 23-1 Div 24-1 Div 25-1 Div 26-1	18,593 21,151 20,962 20,264 17,465 19,945 19,474 20,453 18,512 19,935 19,070 19,510 19,047 18,189 19,744 20,231 20,907 18,196 20,868 21,224 18,588 23,569 20,943 19,224 22,608 18,894	517,556	51.1

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsay Index
Broadsound	8,972	18,307	First Past Post	13	411	Div 1-1 Div 2-3 Div 3-3 Div 4-2 Div 5-2 Div 6-1	203 195 204 403 2,380 1,548	4,933	12.2
Bulloo	607	73,620	First Past Post	5	72	No Divs.	N/A	288	N/A
Bundaberg	32,990	45	First Past Post	9	2,901	No Divs.	N/A	23,211	N/A
Bungil	2,023	13,302	First Past Post	9	181	Div 1-3 Div 2-2 Div 3-2 Div 4-1	561 382 265 237	1,445	57.2
Burdekin	18,181	4,914	First Past Post	12	1,108	Div 1-3 Div 2-3 Div 3-3 Div 4-2	5,470 3,108 2,782 826	12,186	46.6
Burke	1,376	41,802	First Past Post	7	35	Div 1-2 Div 2-4	105 102	207	49.3

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelasy Index
Caboorture	61,719	1,214	First Past Post	12	3,544	Div 1-3 Div 2-4 Div 3-2 Div 4-2	12,405 17,962 2,053 6,561	38,981	53.9
Cairns	42,755	56	First Past Post	9	3,044	No Divs.	N/A	24,349	N/A
Calliope	10,205	5,875	First Past Post	10	709	Div 1-3 Div 2-3 Div 3-2 Div 4-1	1,042 3,428 515 1,394	6,379	42.3
Caloundra	44,893	1,102	First Past Post	13	2,678	Div 1-2 Div 2-2 Div 3-2 Div 4-2 Div 5-4	887 3,439 11,044 3,364 13,401	32,135	34.4
Cambooya	2,796	635	First Past Post	11	179	Div 1-4 Div 2-3 Div 3-3	1,109 314 370	1,793	38.1
Cardwell	8,397	2,901	First Past Post	10	558	Div 1-3 Div 2-3 Div 3-3	1,757 1,702 1,560	5,019	65.0

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsay Index
Carpentaria	3,183	68,272	First Past Post	10	108	Div 1-2 Div 2-3 Div 3-2 Div 4-2	620 60 43 247	970	23.3
Charters Towers	8,577	41	First Past Post	11	520	No Divs.	N/A	5,199	N/A
Chinchilla	5,806	8,689	First Past Post	11	377	Div 1-2 Div 2-2 Div 3-2 Div 4-2 Div 5-2	328 275 341 2,566 262	3,772	22.9
Clifton	2,414	865	First Past Post	10	186	Div 1-3 Div 2-3 Div 3-3	380 347 948	1,675	43.4
Cloncurry	3,525	49,969	First Past Post	10	174	Div 1-4 Div 2-3 Div 3-2	1,219 198 153	1,570	41.7
Cook	4,842	115,333	First Past Post	7	279	Div 1-1 Div 2-2 Div 3-1 Div 4-2	227 466 212 766	1,671	54.2

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsay Index
Crow's Nest	6,281	1,630	First Past Post	13	338	Div 1-3 Div 2-2 Div 3-2 Div 4-3 Div 5-2	1,075 214 353 877 1,533	4,052	35.6
Croydon	322	28,386	First Past Post	6	46	Div 1-3 Div 2-2	144 87	231	79.2
Dalby	9,717	49	First Past Post	9	795	No Divs.	N/A	6,359	N/A
Dalrymple	4,131	67,782	First Past Post	9	257	Div 1-3 Div 2-3 Div 3-1 Div 4-1	1,193 532 236 98	2,059	42.1
Diamantina	251	94,690	First Past Post	7	21	No Divs.	N/A	125	N/A
Douglas	8,274	2,386	First Past Post	7	689	Div 1-2 Div 2-2 Div 3-2	1,422 1,403 1,309	4,134	65.6
Duaranga	10,611	17,946	First Past Post	13	413	Div 1-3 Div 2-3 Div 3-3 Div 4-3	405 256 669 3,620	4,950	17.9

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsay Index
Eacham	5,815	1,118	First Past Post	7	594	Div 1-2 Div 2-2 Div 3-2	1,439 1,369 756	3,564	59.6
Eidsvold	1,154	4,789	First Past Post	5	185	No Divs.	N/A	739	N/A
Emerald	9,644	10,230	First Past Post	10	592	Div 1-3 Div 2-3 Div 3-3	3,503 1,244 584	5,331	34.3
Esk	10,166	3,846	First Past Post	13	557	Div 1-1 Div 2-3 Div 3-3 Div 4-2 Div 5-3	572 1,286 1,291 332 3,204	6,685	37.1
Etheridge	1,144	39,917	First Past Post	7	96	Div 1-3 Div 2-2 Div 3-1	338 169 69	576	60.8
Fitzroy	7,189	5,761	First Past Post	11	449	Div 1-3 Div 2-3 Div 3-3 Div 4-1	1,085 816 888 1,697	4,486	38.0

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsay Index
Flinders	2,904	41,621	First Past Post	12	147	Div 1-3 Div 2-3 Div 3-2 Div 4-3	211 135 190 1,078	1,614	27.3
Gatton	13,187	1,576	First Past Post	13	681	Div 1-3 Div 2-3 Div 3-3 Div 4-3	3,838 823 1,919 1,592	8,172	37.4
Gayndah	2,810	2,707	First Past Post	9	238	Div 1-1 Div 2-2 Div 3-2 Div 4-1 Div 5-2	68 252 316 73 1,193	1,902	29.0
Gladstone	23,006	128	First Past Post	7	2,524	No Divs.	N/A	15,146	N/A
Glengallan	3,821	1,735	First Past Post	12	243	Div 1-2 Div 2-3 Div 3-3 Div 4-3	262 785 1,126 498	2,671	48.0

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsoy Index
Gold Coast	135,163	122	Preferential	11	8,664	Div 1-1 Div 2-1 Div 3-1 Div 4-1 Div 5-1 Div 6-1 Div 7-1 Div 8-1 Div 9-1 Div 10-1	12,924 7,994 6,493 7,572 10,702 10,951 5,511 7,852 8,998 7,646	86,643	49.7
Gooburrum	6,507	1,304	First Past Post	10	487	Div 1-3 Div 2-3 Div 3-3	2,117 1,491 772	4,380	51.7
Goondiwindi	4,290	16	First Past Post	7	469	No Divs.	N/A	2,816	N/A
Gympie	11,289	20	First Past Post	7	1,338	No Divs.	N/A	8,027	N/A
Herberton	4,892	9,527	First Past Post	9	350	Div 1-2 Div 2-2 Div 3-2 Div 4-2	690 344 622 1,142	2,798	46.9

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kolsay Index
Hervey Bay	23,404	2,393	Preferential	11	1,760	Div 1-1 Div 2-1 Div 3-1 Div 4-1 Div 5-1 Div 6-1 Div 7-1 Div 8-1 Div 9-1 Div 10-1	2,069 2,017 1,887 2,102 1,959 1,937 1,898 1,514 1,347 866	17,596	53.7
Hinchinbrook	13,303	2,707	First Past Post	9	1,121	No Divs.	N/A	8,970	N/A
Ilfracombe	308	6,566	First Past Post	7	33	No Divs.	N/A	195	N/A
Inglewood	2,963	5,862	First Past Post	9	263	Div 1-3 Div 2-3 Div 3-2	1,031 935 138	2,104	51.00
Ipswich	75,239	122	Preferential	11	4,829	Div 1-1 Div 2-1 Div 3-1 Div 4-1 Div 5-1 Div 6-1 Div 7-1 Div 8-1 Div 9-1 Div 10-1	4,704 4,709 5,376 4,839 4,589 5,399 3,472 4,869 5,727 4,610	48,294	55.7

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kolsay Index
Isis	4,203	1,677	First Past Post	9	375	Div 1-2 Div 2-2 Div 3-2 Div 4-1 Div 5-1	361 838 411 1,068 323	3,001	36.5
Isisford	348	10,528	First Past Post	7	36	No Divs.	N/A	215	N/A
Jericho	1,029	21,717	First Past Post	9	92	Div 1-3 Div 2-2 div 3-2 Div 4-1	211 111 317 100	739	43.6
Johnstone	17,631	1,633	First Past Post	9	1,455	Div 1-3 Div 2-1 Div 3-2 Div 4-1 Div 5-1	5,847 780 2,195 1,299 1,516	11,637	49.8
Jondaryan	10,223	1,904	First Past Post	13	547	Div 1-3 Div 2-2 Div 3-2 Div 4-3 Div 5-2	1,810 1,074 496 623 2,557	6,560	33.4
Kilcoy	2,877	1,437	First Past Post	9	233	No Divs.	N/A	1,866	N/A

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsay Index
Kilkivan	2,781	3,250	First Past Post	9	242	Div 1-2 Div 2-2 Div 3-2 Div 4-2	516 383 523 512	1,934	59.6
Kingaroy	10,509	2,422	First Past Post	13	564	Div 1-3 Div 2-3 Div 3-3 Div 4-3	1,229 980 150 4,410	6,769	22.7
Kolan	2,780	2,655	First Past Post	11	184	No Divs.	N/A	1,835	N/A
Laidley	7,781	694	First Past Post	11	488	Div 1-2 Div 2-2 Div 3-2 Div 4-2 Div 5-2	1,449 477 690 740 1,523	4,879	39.1
Livingstone	16,369	11,150	First Past Post	13	891	Div 1-2 Div 2-5 Div 3-3 Div 4-2	2,807 6,275 508 1,104	10,694	38.5

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsoy Index
Logan	142,025	241	Preferential	11	7,534	Div 1-1 Div 2-1 Div 3-1 Div 4-1 Div 5-1 Div 6-1 Div 7-1 Div 8-1 Div 9-1 Div 10-1	8,081 8,023 6,959 8,252 8,081 7,531 8,216 7,614 6,795 5,789	75,341	56.7
Longreach	4,038	23,517	First Past Post	10	285	Div 1-3 Div 2-3 Div 3-3	185 184 2,196	2,565	14.4
Mackay	22,559	34	First Past Post	9	1,899	No Divs.	N/A	15,189	N/A
Mareeba	16,661	52,585	First Past Post	9	1,284	Div 1-2 Div 2-1 Div 3-3 Div 4-2	1,502 135 5,964 2,668	10,269	41.9
Maroochy	70,567	1,153	First Past Post	13	4,137	Div 1-2 Div 2-3 Div 3-3 Div 4-2 Div 5-2	2,473 13,739 14,601 12,623 6,206	49,642	45.2

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsay Index
Maryborough	23,024	1,130	Preferential	9	2,023	Div 1-1 Div 2-1 Div 3-1 Div 4-1 Div 5-1 Div 6-1 Div 7-1 Div 8-1	2,029 2,063 2,042 1,765 2,790 1,995 1,313 2,187	16,184	56.5
McKinlay	1,329	40,728	First Past Post	9	92	No Divs.	N/A	733	N/A
Millmerran	3,159	4,507	First Past Post	10	232	Div 1-3 Div 2-3 Div 3-3	654 611 819	2,084	60.7
Mirani	4,903	3,292	First Past Post	10	338	Div 1-3 Div 2-3 Div 3-3	1,446 617 982	3,045	52.5
Miriam Vale	2,172	3,709	First Past Post	10	177	Div 1-3 Div 2-3 Div 3-3	730 379 480	1,589	54.1
Monto	3,168	4,283	First Past Post	7	355	Div 1-1 Div 2-1 Div 3-1 Div 4-1 Div 5-1 Div 6-1	919 365 225 404 99 120	2,132	37.9

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsoy Index
Moreton	45,673	1,813	First Past Post	13	2,189	Div 1-3 Div 2-3 Div 3-3 Div 4-3	7,134 3,778 4,822 10,530	26,264	41.8
Mornington	928	1,192	First Past Post	9	57	No Divs.	N/A	455	N/A
Mount Isa	23,998	41,225	First Past Post	11	1,386	Div 1-8 Div 2-2	13,649 214	13,863	50.8
Mount Morgan	3,173	505	First Past Post	9	269	Div 1-5 Div 2-3	2,047 101	2,148	42.8
Mulgrave	48,216	1,761	First Past Post	11	2,753	Div 1-2 Div 2-2 Div 3-2 Div 4-4	9,579 2,949 2,055 12,945	27,528	41.7
Mundubbera	2,254	4,185	First Past Post	13	122	Div 1-3 Div 2-3 Div 3-2 Div 4-2 Div 5-2	196 215 173 89 785	1,458	29.4

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsay Index
Murgon	4,638	699	First Past Post	11	233	Div 1-6 Div 2-4	782 1,552	2,334	33.5
Murilla	3,054	6,045	First Past Post	11	204	Div 1-2 Div 2-4 Div 3-4	894 615 535	2,044	41.2
Murweh	5,326	43,905	First Past Post	13	299	Div 1-3 Div 2-3 Div 3-3 Div 4-3	546 391 188 2,464	3,589	21.2
Nanango	6,122	1,735	First Past Post	9	508	Div 1-2 Div 2-2 Div 3-2 Div 4-2	1,932 469 617 1,042	4,060	39.6
Nebo	2,337	10,033	First Past Post	10	158	Div 1-1 Div 2-6 Div 3-2	142 430 848	1,420	30.3
Noosa	23,437	875	First Past Post	13	1,311	Div 1-2 Div 2-2 Div 3-2 Div 4-3 Div 5-3	1,032 1,478 2,480 5,673 5,070	15,733	42.5

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsoy Index
Paroo	2,674	47,617	First Past Post	8	232	Div 1-3 Div 2-2 Div 3-1 Div 4-1	1,044 271 149 157	1,621	57.1
Peak Downs	3,202	8,096	First Past Post	10	200	Div 1-2 Div 2-2 Div 3-3 Div 4-2	487 835 332 143	1,797	40.0
Perry	317	2,357	First Past Post	9	34	Div 1-2 Div 2-2 Div 3-2 Div 4-2	131 23 19 97	270	33.3
Pine Rivers	85,850	767	First Past Post	11	5,216	Div 1-3 Div 2-5 Div 3-2	17,878 32,693 1,584	52,155	49.9
Pioneer	37,744	2,764	First Past Post	12	2,232	Div 1-5 Div 2-3 Div 3-3	18,032 4,381 2,141	24,554	41.2
Pittsworth	4,161	1,101	First Past Post	10	314	Div 1-3 Div 2-3 Div 3-3	1,238 897 695	2,830	56.3

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reprs. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsoy Index
Quilpie	1,325	67,482	First Past Post	10	88	Div 1-3 Div 2-2 Div 3-2 Div 4-2	432 127 78 151	788	45.2
Redcliffe	48,025	35	First Past Post	9	4,158	No Divs.	N/A	33,256	N/A
Redland	75,237	539	Preferential	13	3,984	Div 1-1 Div 2-1 Div 3-1 Div 4-1 Div 5-1 Div 6-1 Div 7-1 Div 8-1 Div 9-1 Div 10-1 Div 11-1 Div 12-1	2,911 3,681 6,893 1,282 3,975 1,123 3,155 571 2,489 7,360 8,569 5,803	47,812	31.8
Richmond	1,174	26,936	First Past Post	7	124	No Divs.	N/A	741	N/A

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reprs. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelasy Index
Rockhampton	58,880	187	Preferential	11	3,867	Div 1-1 Div 2-1 Div 3-1 Div 4-1 Div 5-1 Div 6-1 Div 7-1 Div 8-1 Div 9-1 Div 10-1	5,482 3,378 3,552 3,642 4,476 4,081 3,303 4,111 2,898 3,749	38,672	53.1
Roma	6,909	78	First Past Post	9	505	No. Divs	N/A	4,039	N/A
Rosalie	7,237	2,192	First Past Post	9	554	Div 1-2 Div 2-2 Div 3-2 Div 4-2	1,561 919 919 1,033	4,432	53.1
Rosenthal	1,946	1,968	First Past Post	9	174	Div 1-2 Div 2-2 Div 3-2 Div 4-2	445 275 270 398	1,388	53.6
Sarina	7,909	1,327	First Past Post	10	561	Div 1-2 Div 2-2 Div 3-2 Div 4-1 Div 5-2	836 1,736 467 126 1,882	5,047	45.5

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsay Index
Stanthorpe	9,795	2,681	First Past Post	9	833	Div 1-2 Div 2-2 Div 3-2 Div 4-2	3,038 1,567 1,883 172	6,660	40.2
Tambo	641	10,308	First Past Post	7	70	Div 1-2 Div 2-2 Div 3-2	275 70 73	418	34.2
Tara	3,783	11,176	First Past Post	10	268	Div 1-3 Div 2-3 Div 3-3	1,297 452 659	2,408	46.1
Taroom	3,191	18,641	First Past Post	10	229	Div 1-2 Div 2-2 Div 3-3 Div 4-2	272 726 851 215	2,063	51.1
Thuringowa	36,048	4,121	First Past Post	12	1,926	Div 1-3 Div 2-2 Div 3-2 Div 4-4	5,019 1,369 627 14,175	21,190	33.1
Tiaro	2,736	2,196	First Past Post	10	213	Div 1-3 Div 2-3 Div 3-3	848 339 728	1,915	55.7

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsay Index
Toowoomba	80,953	118	Preferential	9	6,764	Div 1-1 Div 2-1 Div 3-1 Div 4-1 Div 5-1 Div 6-1 Div 7-1 Div 8-1	7,517 6,784 6,735 6,177 6,697 6,372 6,674 7,156	54,112	60.3
Torres	7,317	2,796	First Past Post	9	190	No Divs.	N/A	1,520	N/A
Townsville	83,241	376	Preferential	11	5,425	Div 1-1 Div 2-1 Div 3-1 Div 4-1 Div 5-1 Div 6-1 Div 7-1 Div 8-1 Div 9-1 Div 10-1	4,190 3,950 6,002 5,254 5,276 5,515 4,623 7,112 6,149 6,181	54,252	53.1
Waggamba	2,665	13,835	First Past Post	10	211	Div 1-3 Div 2-3 Div 3-3	460 525 910	1,895	52.0
Wambo	5,419	5,691	First Past Post	9	452	Div 1-2 Div 2-2 Div 3-2 Div 4-2	939 902 1,239 535	3,615	52.7

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reps. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsoy Index
Warroo	1,176	13,660	First Past Post	10	94	Div 1-3 Div 2-3 Div 3-3	543 138 161	842	35.5
Warwick	10,384	26	First Past Post	9	880	No Divs.	N/A	7,039	N/A
Whitsunday	11,511	2,644	First Past Post	9	855	Div 1-2 Div 2-2 Div 3-2 Div 4-2	2,038 2,608 1,174 1,021	6,841	47.0
Widgee	15,345	2,938	First Past Post	12	945	Div 1-3 Div 2-2 Div 3-2 Div 4-2 Div 5-2	3,702 2,689 1,674 957 1,374	10,396	50.4
Winton	1,727	53,820	First Past Post	11	109	Div 1-4 Div 2-3 Div 3-3	733 226 128	1,087	32.6
Wondai	3,958	3,574	First Past Post	10	303	Div 1-2 Div 2-2 Div 3-2 Div 4-2 Div 5-1	570 530 496 878 255	2,729	57.4

Local Government Area	Estimated Resident Population (June 1989)	Area (km <sup>2</sup> )	Voting System	Total No. of Elected Members	Average No. of Electors per Rep.	Number of Reprs. per Division	Enrolment per Division	Total Enrolment (April 1990)	Dauer-Kelsay Index
Woocoo	3,047	2,025	First Past Post	8	294	Div 1-4 Div 2-3	333 1,723	2,056	44.1
Woongarra	13,717	731	First Past Post	11	982	Div 1-4 Div 2-4 Div 3-2	3,552 3,194 3,078	9,824	50.6

## LOCAL AUTHORITY ELECTORAL REVIEW

### ALTERNATIVE VOTING SYSTEMS

Voting systems can be divided into four main types: majoritarian, plurality (first past the post), proportional representation and a mixed type ("Electoral Systems", Current Issues Paper No. 3, Legislative Research Services, Parliament of the Commonwealth of Australia, 1989). These four types will be described below in more detail.

Voting systems differ in whether they elect one representative per electorate or whether they elect multiple members per constituency. The Queensland Legislative Assembly is a single member per constituency system; the Hare-Clark system for the Tasmanian House of Assembly elects seven members for each of five electorates.

Voting systems also vary according to whether voters can vote for one candidate only or whether they can also express their preferences for other candidates if their preferred candidate is not elected. Systems differ on whether such preferential voting is optional or generally compulsory.

#### **Majoritarian Systems**

Majoritarian systems require one candidate to secure more than 50% of the vote to be elected. In the event that no candidate receives more than half the vote on the primary count, preferences are distributed or a second ballot may be held. There are two main versions of the system:

- a. Majoritarian (Alternative). Voters indicate, in order, their preference for candidates. If no candidate secures an absolute majority of first preferences, second and subsequent preferences are distributed to other candidates starting with those cast for the candidate who received the smallest number of primary votes.

Some arguments for the system are:

- . for single member seats, the winning candidate must secure at least 50% of the vote after the distribution of preferences;
- . workable majorities are generally produced by the system; and
- . the system is relatively easy to understand and generally gives speedy results.

An argument against the system is:

- . the candidate receiving the most primary votes may be defeated after distribution of preferences.

In compulsory preferential voting systems, voters are compelled to register their preferences whether or not they in fact have any. An optional preferential voting system allows voters the choice of not expressing any preferences other than their first choice of candidate.

- b. Majoritarian (Second Ballot). In the Second Ballot system a second election is held if no candidate secures more than 50% of the primary vote. The number of candidates eligible for the second ballot can be restricted by number (eg. the two with the largest number of votes) or threshold (eg. candidates receiving more than a certain percentage of the primary vote).

While the Second Ballot system generally produces a candidate with more than half the vote, it is expensive to administer and increases costs for candidates, parties and the general public.

### Plurality (First Past the Post) Systems

Plurality systems result in the election of candidates who receive the most primary votes in their constituencies. They can be used with either single- or multiple- member constituencies. A majority of votes is not required for election and no preferences are distributed.

- a. Plurality in Single Member Constituencies. In its simplest form, first past the post voting in single-member constituencies elects the candidate who wins the largest number of primary votes.

An alternative plurality system for single member constituencies is Approval Voting which gives electors the choice of voting for all candidates of whom they approve. The candidate with the highest rate of approval (ie. most votes) wins the seat. Some arguments for this system are:

- . greater flexibility for electors;
- . increased voter turnout (particularly in electorates where voting is not compulsory) because voters have greater choice;
- . increased votes for minority parties and independent candidates because votes for minor parties or independents are no longer perceived as being wasted;
- . the candidate with the greatest overall support is elected not just the candidate with the largest number of votes.

Approval voting can be criticised on a number of grounds. Firstly, voters may not approve of all to the same extent, but cannot indicate which candidates they approve of most. Secondly, it cannot guarantee better representation of minor parties. Thirdly, it may influence parties and candidates against contentious issues and policies for fear of voter disapproval.

- b. Plurality in Multiple Member Constituencies

Single Non Transferable Vote. In this variation, electors have one vote only. Two or more members are elected for each constituency from among the candidates according to the number of votes received by each.

Block Vote. The block vote system allows electors in a constituency the same number of votes as there are members to be elected. Again, the candidates who receive the most votes are elected. The disadvantage is that the system tends to favour the election of the largest party.

Limited Vote. The limited vote system restricts electors to fewer votes than the number of members to be elected. This system is intended to limit the number of seats won by one party.

c. Some Arguments for the system are:

- . in single member constituencies there is a direct link between members and their local constituencies;
- . candidates are more likely to be selected by parties on the basis of their approval in the local electorate;
- . the system is easy to understand;
- . electors are not forced to express preferences they may not have;
- . results are quickly available;
- . the system is independent of party agreements over the exchange of preferences.

d. Some Arguments against First Past the Post Voting are:

The system denies representation to minority opinion. For example, in a three cornered contest a candidate could be elected with only 34% of the primary vote - the remaining 66%, if split evenly two ways, is denied representation.

Minority parties who attract substantial overall proportions of the primary vote may be denied representation completely because they fail to poll sufficiently highly to win any seats on the primary vote.

### **Proportional Representation Systems**

The purpose of proportional representation systems is generally to allocate multiple seats per district in proportion to voter support. A common argument for multiple-member constituencies is that constituents are likely to have a range of members to whom they can turn, including one (perhaps) for whom they vote.

There are two main categories of PR systems, Party List Systems and Single Transferable Vote Systems.

- a. The Party List System. The party list system requires voters to choose between lists of candidates for an electoral district. The candidates are placed on the list in an order determined by the party. Voters may:
- . be restricted to voting for a single party list without choice of candidates ("closed" list); or
  - . be able to indicate preferences for one or more candidates from one or more parties ("open" list).

Seats are allocated to parties approximately in proportion to the number of votes each has received. There are many different mathematical formulae which can be used to allocate seats in proportion to votes received.

Party list systems recognise the importance of political parties and allow voters a direct and simple choice as to which party they prefer. Lists also allow parties to promote representatives of minority groups and to provide for regional representation.

On the other hand, closed party lists weaken the link between candidates and electors, and enable parties to determine who the elected representative should be. Open lists introduce other complications which may confuse voters.

- b. The Single Transferable Vote ("Hare") System. The single transferable vote ("Hare") system requires that each elector votes in a multiple member constituency by numbering the candidates in order of preference. The number of preferences allowed in different systems varies. The system has been used to elect members of the Tasmanian House of Assembly since 1907.

Candidates must obtain a quota of votes to be elected. The lowest polling candidates have their preferences distributed whilst any surplus votes of elected candidates are reallocated to the next preference.

- c. Some arguments against the system are:
- . the likelihood of a minor party holding the balance of power is increased and this may lead to unstable government;
  - . large enrolment multiple member constituencies tend to distance elected representatives from their constituents;
  - . complicated voting procedures may obscure voter intentions and produce delays in counting.

- d. These are arguments in favour of the system:

Minority opinion is more likely to gain representation than in either the plurality or majoritarian systems. Representation of parties in an assembly is more likely to be in proportion to voter support under this system than the others although the extent of proportionality will vary with the system and the number of members being elected in any district.

#### **The Mixed Member Proportional System**

The mixed-member proportional voting system combines a number of single-member seats with a number of proportional member seats. An election is held for the single-member seats and then additional seats are awarded to parties on the basis of their proportional share of the total vote or on the outcome of a second vote. These additional seats may be at large for the whole political unit or allocated to smaller parties.

Once the proportional entitlement to seats has been calculated, the number of single member seats won by a party is subtracted from its proportional entitlement and the party is then given sufficient other seats to bring it up to its proportional entitlement to the extent allowed.

The German Bundestag (lower house) is elected using a mixed-member proportional system using two votes. The second vote is for a closed party list and used to determine each party's overall entitlement to seats.

The arguments for the system are that it retains single-member constituencies while also overcoming the problem of disproportionality inherent in plurality systems. The use of party lists allows the possibility of enhanced representation for minority interests and regional concerns. A further argument is that members elected on proportional allocation are more likely to adopt a broad community perspective rather than a narrower, local area view.

LOCAL AUTHORITY ELECTORAL REVIEWDISTORTION INDEX SUBMITTED BY THE AUSTRALIAN LABOR PARTY  
FOR LGAs WITH MORE THAN 2 DIVISIONS AND MULTI-MEMBER DIVISIONS

<u>LGA</u>	<u>No. of Members</u>	<u>Av. Electors per Member</u>	<u>Distortion Index</u>	<u>Comment</u>
<u>LGAs with more than 5,000 Electors</u>				
Kingaroy	13	516	27.3	Bizarre
Bowen	11	771	21.1	Bizarre
Stanthorpe	9	773	17.6	Bizarre
Mareeba	9	1,121	14.5	Bizarre
Belyando	13	483	12.4	Bizarre
Thuringowa	12	1,706	11.5	Bizarre
Pine Rivers	11	4,634	8.3	Gross Distortion
Caloundra	13	2,364	7.7	Gross Distortion
Livingstone	13	788	7.2	Gross Distortion
Esk	13	495	6.4	Gross Distortion
Emerald	10	530	5.8	Gross Distortion
Jondaryan	13	483	5.2	Gross Distortion
Pioneer	12	1,953	5.1	Gross Distortion
Gatton	13	606	4.7	Serious Distortion
Burdekin	12	1,000	4.6	Serious Distortion
Caboolture	12	3,134	4.4	Serious Distortion
Calliope	10	617	4.4	Serious Distortion
Maroochy	13	3,659	4.0	Serious Distortion
Atherton	7	829	3.9	Serious Distortion
Noosa	13	1,157	3.6	Serious Distortion
Mulgrave	11	2,397	3.0	Serious Distortion
Banana	13	726	2.8	Distorted
Moreton	13	1,956	2.8	Distorted
Widgee	12	842	2.6	Distorted
Johnstone	9	1,279	2.4	Distorted
Whitsunday	9	711	2.4	Distorted
Woongarra	11	849	1.7	Distorted

LGA	No. of Members	Av. Electors per Member	Distortion Index	Comment
<b><u>LGAs with 2,000 to 5,000 Electors</u></b>				
Broadsound	13	375	17.7	Bizarre
Duaringa	13	374	14.4	Bizarre
Murweh	13	279	13.0	Bizarre
Longreach	10	254	11.9	Bizarre
Chinchilla	11	337	9.4	Gross Distortion
Sarina	10	494	7.8	Gross Distortion
Crow's Nest	13	324	6.8	Gross Distortion
Balonne	10	308	6.3	Gross Distortion
Fitzroy	11	391	6.2	Gross Distortion
Inglewood	9	229	4.8	Serious Distortion
Nanango	9	425	4.1	Serious Distortion
Dalrymple	9	224	4.0	Serious Distortion
Isis	9	324	3.5	Serious Distortion
Murilla	11	182	3.4	Serious Distortion
Herberton	9	305	3.3	Serious Distortion
Laidley	11	426	3.0	Serious Distortion
Glengallon	12	215	2.9	Distorted
Gooburrum	10	416	2.8	Distorted
Tara	10	230	2.8	Distorted
Taroom	10	202	2.6	Distorted
Mirani	10	305	2.4	Distorted
Wambo	9	394	2.4	Distorted
Eacham	7	499	1.9	Distorted
Pittsworth	10	277	1.8	Distorted
Wondai	10	269	1.7	Distorted
Rosalie	9	477	1.6	Distorted
Milmerran	10	206	1.4	Mild Distortion
Boonah	7	608	1.3	Mild Distortion
Cardwell	10	496	1.1	Balanced
Douglas	7	563	1.1	Balanced

LGA	No. of Members	Av. Electors per Member	Distortion Index	Comment
<b><u>LGAs with less than 2,000 Electors</u></b>				
Barcaldine	9	125	16.3	Bizarre
Carpentaria	10	94	15.6	Bizarre
Gayndah	9	210	9.3	Gross Distortion
Blackall	10	136	8.9	Gross Distortion
Flinders	12	133	8.6	Gross Distortion
Mundubbera	13	110	8.6	Gross Distortion
Perry	9	30	6.0	Gross Distortion
Peak Downs	10	173	5.7	Gross Distortion
Allora	10	141	5.3	Gross Distortion
Booringa	9	162	5.1	Gross Distortion
Winton	11	99	4.7	Serious Distortion
Biggenden	10	112	4.1	Serious Distortion
Warroo	10	82	4.0	Serious Distortion
Aramac	10	66	3.9	Serious Distortion
Cloncurry	10	153	3.9	Serious Distortion
Tambo	7	61	3.7	Serious Distortion
Quilpie	10	77	3.5	Serious Distortion
Bauhinia	10	149	3.3	Serious Distortion
Boulia	8	33	3.2	Serious Distortion
Jericho	9	80	3.0	Serious Distortion
Nebo	10	139	3.0	Serious Distortion
Cambooya	11	157	2.8	Distorted
Clifton	10	165	2.6	Distorted
Bendemere	8	93	2.5	Distorted
Tiaro	10	186	2.5	Distorted
Paroo	8	198	2.3	Distorted
Miriam Vale	10	153	2.1	Distorted
Waggamba	10	183	2.0	Distorted
Barcoo	10	31	1.9	Distorted
Cook	7	237	1.8	Distorted
Rosenthal	9	152	1.7	Distorted
Etheridge	7	80	1.6	Distorted
Bungil	9	158	1.3	Mild Distortion
Kilkivan	9	212	1.3	Mild Distortion

LOCAL AUTHORITY ELECTORAL REVIEWOCCUPATION OF SHIRE CHAIRMEN AND RESULTS OF 1985 & 1988 ELECTIONS

Local Authority	Occupation of Shire Chairman	Opposition in 1988 & 1985	Exhibit Reference
Atherton	Businessman	Beat incumbent 1988	L 32
Belyando	Welder	Won election 1988	L 14
Blackall	Grazier	Won election 1988	L 41
Boulia	Grazier	Opposed 1988 Opposed 1985	L 23
Bowen	Civil Engineer (Retired)	Opposed 1988 Opposed 1985	L 27
Broadsound	Grazier	Unopposed 1988 Unopposed 1985	L 11
Burdekin	Medical Practitioner	Opposed 1988 Opposed 1985	L 29
Calliope	Company Director	Won election 1988	L 7
Cloncurry	Grazier	Unopposed 1988 Opposed 1985	L 25
Crow's Nest	Dairy Farmer/Grazier	Beat incumbent 1988	L 46
Dalyrple	Grazier	Unopposed 1988 Unopposed 1985	L 30
Eacham	Investor/Farmer	Beat incumbent 1988	L 33
Esk	Farmer	Beat incumbent 1988	
Etheridge	Hotelier	Unopposed 1988 Unopposed 1985	L 34
Hinchinbrook	Farmer/Primary Producer	Beat incumbent 1988	L 28
Isisford	Grazier	Opposed 1988 Unopposed 1985	L 43
Johnstone	Plumber	Opposed 1988 Opposed 1985	L 31

Local Authority	Occupation of Shire Chairman	Opposition in 1985 & 1988	Exhibit Reference
Jondaryan	Farmer/Commercial Pilot	Unopposed 1988 Unopposed 1985	L 44
Kingaroy	Member, House of Representatives.	Opposed 1988 Unopposed 1985	L 3
Livingstone	Full-time Chairman	Won election 1988	L 9
Longreach	Grazier	Unopposed 1988 Unopposed 1985	L 39
McKinlay	Motor Dealer	Unopposed 1988 Unopposed 1985	L 26
Mirani	Cane Farmer	Beat incumbent 1988	L 17
Miriam Vale	Grazier	Unopposed 1988 Opposed 1985	L 6
Moreton	Full-time Chairman	Won election 1988	L 52
Mulgrave	Professional Chairman	Unopposed 1988 Unopposed 1985	L 36
Murveh	"Private Means"	Opposed 1988 Opposed 1985	L 40
Nebo	Grazier	Opposed 1988 Opposed 1985	L 13
Paroo	Retired	Unopposed 1988 Opposed 1985	L 49
Pioneer	Cane Farmer	Unopposed 1988 Unopposed 1985	L 15/16
Redland	General Manager Horticulture-Housing	Opposed 1988 Opposed 1985	L 53
Rosenthal	Farmer	Unopposed 1988 Opposed 1985	L 50
Taroom	Grazier	Unopposed 1988 Unopposed 1985	L 10
Torres	No Elected Council	Not applicable	L 35

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Local Authority	Occupation of Shire Chairman	Opposition in 1985 & 1988	Exhibit Reference
Whitsunday	Cane Farmer	Won election 1988	L 19
Widgee	Farmer	Unopposed 1988 Unopposed 1985	L 1
Winton	Garage Proprietor	Unopposed 1988	L 42
Woocoo	Assistant Manager - Sugar Mill	Beat incumbent 1988	L 4

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## Notes:

This information was extracted from answers to the standard questions for Shires invited to give evidence at the Public Hearings.

Beat. Incumbent: successfully opposed the previous Chairman & now holds office.

Opposed: the incumbent was returned despite opposition.

Unopposed: the incumbent did not face an election & was duly returned to Office.

Won election: there was no incumbent to oppose, e.g. after the resignation of the previous incumbent.

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LOCAL AUTHORITY ELECTORAL REVIEWPROPOSED CHANGES TO DIVISIONAL ARRANGEMENTS FOR LOCAL AUTHORITIES  
WITH DAUER-KELSAY INDEX OF 45% OR LESS

Local Authority (Quota per Member)	Proposed Divisions (By ref. to existing Divisions)	Proposed Members per Division	Electors in Division	Permissible Range (10% or 20%)
<u>Cities, Towns &amp; Shires with Enrolment 10,000 or greater (10% tolerance)</u>				
Caloundra (2,678)	1+2+4	3	7,690	7,231 - 8,837
	3	4	11,044	9,641 - 11,783
	5	5	13,401	12,051 - 14,729
Livingstone (891)	1	3	2,807	2,406 - 2,940
	2	7	6,275	5,613 - 6,861
	3+4	2	1,612	1,604 - 1,960
Mareeba (1,284)	1+2	1	1,637	1,156 - 1,412
	3	5	5,964	5,778 - 7,062
	4	2	2,668	2,311 - 2,825
Moreton (2,189)	1	3	7,134	5,910 - 7,224
	2	2	3,778	3,940 - 4,816
	3	2	4,822	3,940 - 4,816
	4	5	10,530	9,851 - 12,040
Mulgrave (2,753)	1	3	9,579	7,433 - 9,085
	2	1	2,949	2,478 - 3,028
	3	1	2,055	2,478 - 3,028
	4	5	12,945	12,389 - 15,142
Noosa (1,311)	1	1	1,032	1,180 - 1,442
	2	1	1,478	1,180 - 1,442
	3	2	2,480	2,360 - 2,884
	4	4	5,673	4,720 - 5,768
	5	4	5,070	4,720 - 5,768
Pioneer (2,232)	1	8	18,032	16,070 - 19,641
	2	2	4,381	4,018 - 4,910
	3	1	2,141	2,009 - 2,455

Local Authority (Quota per Member)	Proposed Divisions (By ref. to existing Divisions)	Proposed Members per Division	Electors in Division	Permissible Range (10% or 20%)
Redland (3,984)	10	2	7,360	7,171 - 8,765
	11	2	8,569	7,171 - 8,765
	1+12	2	8,714	7,171 - 8,765
	2	1	3,681	3,586 - 4,382
	8+9	1	3,060	3,586 - 4,382
	7	1	3,155	3,586 - 4,382
	4+6	1	2,405	3,586 - 4,382
	3+5	2	10,868	7,172 - 8,764
Thuringowa (1,926)	1	3	5,019	5,200 - 6,356
	2+3	1	1,996	1,733 - 2,119
	4	7	14,175	12,134 - 14,830
<b><u>Shires with Enrolment less than 10,000 (20% tolerance)</u></b>				
Allora (161)	1	6	943	773 - 1,159
	2	1	183	129 - 193
	3	2	323	258 - 386
Aramac (75)	1	4	292	240 - 360
	2+5	3	199	180 - 270
	3+4	2	187	120 - 180
Balonne (358)	1	6	2,307	1,718 - 2,578
	2	2	550	573 - 859
	3	1	361	286 - 430
Banana (794)	1	2	1,272	1,270 - 1,906
	2	2	1,556	1,270 - 1,906
	3	2	1,354	1,270 - 1,906
	4	2	1,749	1,270 - 1,906
	5	4	3,596	2,541 - 3,811
Barcaldine (151)	1	7	1,041	846 - 1,268
	2+3	1	163	121 - 181

Local Authority (Quota per Member)	Proposed Divisions (By ref. to existing Divisions)	Proposed Members per Division	Electors in Division	Permissible Range (10% or 20%)
Belyando (537)	1+2+4	2	809	859 - 1,289
	3	3	1,730	1,289 - 1,933
	5	7	3,907	3,007 - 4,511
Biggenden (125)	1+2	3	395	300 - 450
	3	6	731	600 - 900
Blackall (152)	1+2+3	2	294	243 - 365
	4	7	1,074	851 - 1,277
Booringa (182)	1	5	998	728 - 1,092
	2	1	157	146 - 218
	3+5	1	210	146 - 218
	4	1	94	146 - 218
Bowen (867)	1	4	3,258	2,774 - 4,162
	2+3+4	3	2,630	2,081 - 3,121
	5	3	2,783	2,081 - 3,121
Broadsound (411)	1+2+3+4	3	1,005	986 - 1,480
	5	5	2,380	1,644 - 2,466
	6	4	1,548	1,315 - 1,973
Calliope (709)	1+3	2	1,557	1,134 - 1,702
	2	5	3,428	2,836 - 4,254
	4	2	1,394	1,134 - 1,702
Cambooya (179)	1	6	1,109	859 - 1,289
	2	2	314	286 - 430
	3	2	370	286 - 430
Carpentaria (108)	1	6	620	518 - 778
	2+3	1	103	86 - 130
	4	2	247	173 - 259

Local Authority (Quota per Member)	Proposed Divisions (By ref. to existing Divisions)	Proposed Members per Division	Electors in Division	Permissible Range (10% or 20%)
Chinchilla (377)	1	1	328	302 - 452
	2	1	275	302 - 452
	3	1	341	302 - 452
	4	6	2,566	1,810 - 2,714
	5	1	262	302 - 452
Clifton (186)	1	2	380	298 - 446
	2	2	347	298 - 446
	3	5	948	744 - 1,116
Cloncurry (174)	1	7	1,219	974 - 1,462
	2	1	198	139 - 209
	3	1	153	139 - 209
Crow's Nest (338)	1	3	1,075	811 - 1,217
	2	1	214	270 - 406
	3	1	353	270 - 406
	4	3	877	811 - 1,217
	5	4	1,533	1,082 - 1,622
Dalrymple (257)	1	4	1,193	822 - 1234
	2	2	532	411 - 617
	3	1	236	206 - 308
	4	1	98	206 - 308
Duarina (413)	1	1	405	330 - 496
	2	1	256	330 - 496
	3	2	669	661 - 991
	4	8	3,620	2,643 - 3,965
Emerald (592)	1	6	3,503	2,842 - 4,262
	2	2	1,244	947 - 1,421
	3	1	584	474 - 710
Esk (557)	1	1	572	446 - 668
	2+3+4	5	2,909	2,228 - 3,342
	5	6	3,204	2,674 - 4,010

Local Authority (Quota per Member)	Proposed Divisions (By ref. to existing Divisions)	Proposed Members per Division	Electors in Division	Permissible Range (10% or 20%)
Fitzroy (449)	1	2	1,085	718 - 1,078
	2	2	816	718 - 1,078
	3	2	888	718 - 1,078
	4	4	1,697	1,437 - 2,155
Flinders (147)	1	2	211	235 - 353
	2	1	135	118 - 176
	3	1	190	118 - 176
	4	7	1,078	823 - 1,235
Gatton (681)	1+2	7	4,661	3,814 - 5,720
	3+4	5	3,511	2,724 - 4,086
Gayndah (238)	1+3	2	384	381 - 571
	2+4	2	325	381 - 571
	5	4	1,193	762 - 1,142
Isis (375)	1	1	361	300 - 450
	2	2	838	600 - 900
	3	1	411	300 - 450
	4	3	1,068	900 - 1,350
	5	1	323	300 - 450
Jericho (92)	1	2	211	147 - 221
	2	1	111	74 - 110
	3	4	317	294 - 442
	4	1	100	74 - 110
Jondaryan (547)	1	3	1,810	1,313 - 1,969
	2	2	1,074	875 - 1,313
	3	1	496	438 - 656
	4	1	623	438 - 656
	5	5	2,557	2,188 - 3,282
Kingaroy (564)	1	2	1,229	902 - 1,354
	2	2	980	902 - 1,354
	3	1	150	451 - 677
	4	7	4,410	3,158 - 4,738

Local Authority (Quota per Member)	Proposed Divisions (By ref. to existing Divisions)	Proposed Members per Division	Electors in Division	Permissible Range (10% or 20%)
Laidley (488)	1	3	1,449	1,171 - 1,757
	2	1	477	390 - 586
	3	2	690	781 - 1,171
	4	2	740	781 - 1,171
	5	3	1,523	1,171 - 1,757
Longreach (285)	1	1	185	228 - 342
	2	1	184	228 - 342
	3	7	2,196	1,596 - 2,394
Monto (355)	1	2	919	568 - 852
	2	1	365	284 - 426
	3+5	1	324	284 - 426
	4	1	404	284 - 426
	6	1	120	284 - 426
Mount Morgan (269)	1	7	2,047	1,506 - 2,260
	2	1	101	215 - 323
Mundubbera (122)	1	2	196	195 - 293
	2	2	215	195 - 293
	3+4	2	262	195 - 293
	5	6	785	586 - 878
Murgon (233)	1	3	782	559 - 839
	2	7	1,552	1,305 - 1,957
Murilla (204)	1	4	894	653 - 979
	2	3	615	490 - 734
	3	3	535	490 - 734
Murweh (299)	1	2	546	478 - 718
	2	2	391	478 - 718
	3	1	188	239 - 359
	4	7	2,464	1,674 - 2,512
Nanango (507)	1	4	1,932	1,626 - 2,438
	2	1	469	406 - 610
	3	1	617	406 - 610
	4	2	1,042	813 - 1,219

Local Authority (Quota per Member)	Proposed Divisions (By ref. to existing Divisions)	Proposed Members per Division	Electors in Division	Permissible Range (10% or 20%)
Nebo (158)	1	1	142	126 - 190
	2	3	430	379 - 569
	3	5	848	632 - 948
Peak Downs (200)	1	2	487	320 - 480
	2	4	835	640 - 960
	3	2	332	320 - 480
	4	1	143	160 - 240
Perry (34)	1	4	131	109 - 163
	2	1	23	27 - 41
	3	1	19	27 - 41
	4	2	97	54 - 82
Stanthorpe (833)	1	3	3,038	1,999 - 2,999
	2	2	1,567	1,333 - 1,999
	3	2	1,883	1,333 - 1,999
	4	1	172	666 - 1,000
Tambo (70)	1	4	275	224 - 336
	2	1	70	56 - 84
	3	1	73	56 - 84
Warroo (94)	1	5	543	376 - 564
	2	2	138	150 - 226
	3	2	161	150 - 226
Winton (109)	1	7	733	610 - 916
	2	2	226	174 - 262
	3	1	128	87 - 131
Woocoo (294)	1	1	333	235 - 353
	2	6	1,723	1,411 - 2,117

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Note:

The Dauer-Kelsay Index "is the smallest percentage of the total enrolment contained in the electorates required to produce a majority in the legislature. It is calculated by listing electorates in ascending size of enrolment, then going up the list until a majority of electorates has been taken and calculating the enrolment totalled to that point as a percentage of the enrolment for the whole legislature."

Source: Hughes, C.A., A Handbook of Australian Politics and Government, Canberra, ANU Press, 1977, Appendix 1, P.127.

The following two examples demonstrate how the Dauer-Kelsay Index has been calculated for Local Authorities.

1. Single-member division

Albert	1	11,135
	2	4,254
	3	2,358
	4	8,191
	5	10,970
	6	11,673
	7	7,553
	8	12,372
	9	10,485
TOTAL		<hr/> 78,991

9 Councillors & Chairman = 10

Therefore majority is 6

Therefore number of electors in the 6 smallest divisions is:

2,358
4,254
7,553
8,191
10,485
10,970
<hr/> 43,811

As a % of total enrolment of 78,991, 43,811 is 55.46

Therefore Dauer-Kelsay Index is 55.5

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2. Multi-member division

Allora	1	943	3	314
				314
				315
	2	183	3	61
				61
				61
	3	323	3	107
				108
				108
				<hr/>
				1,449

9 Councillors & Chairman = 10

Therefore majority is 6

Therefore number of electors in the 6 smallest divisions is:

61
61
61
107
108
108
<hr/>
506

As a % of total enrolment of 1,449, 506 is 34.92

Therefore Dauer-Kelsay Index is 34.9

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